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THE ALIEN OF THE WILD

BY

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ILLUSTRATED BY PHILIP R. GOODWIN

A FULL day's tramp back from the settlement, on the edge of a water-meadow beside the lonely Quah-Davic, stood the old woodsman's cabin. Beside it he had built a snug log barn, stored with hay from the wild meadow. The hay he had made that August. Then with a still enthusiasm he had built his barn, chinking its crevices scrupulously with moss and mud. He had resolved to have a cow.

It was late autumn, and the asters were fading out like smoke along the river edges, when the barn was finished and the hay safe stored therein. Then the old woodsman journeyed out to the settlement to buy his cow. He found one exactly to his whimsical liking,—a small, dark red, long-horned scrub, with a look in her big, liquid eyes that made him feel she would know how to take care of herself in the perilous wilds. He equipped her with the most sonorous and far-sounding bell he could find in all the settlement. Then proudly he led her away to her new domain, in the wilderness.

The long-horned little cow was well enough content, and the mellow *tunk-a-tonk, tank tonk* of her bronze bell was sounded never out of ear-shot from the cabin. Of the perils that might lurk in the further depths she had a wary apprehension.

Now it chanced that that autumn was one of unusual drought. In the channel of the Quah-Davic rocks appeared which the old woodsman had never seen before. The leaves fell early, before half their wonted gamut of color was run through. They wore a livery of pallid tones — rusty-reds, — cloudy, light-violets, — grayish, thin golds, — ethereal russets, — under a dry, pale sky. The only solid, substantial coloring was that of the enduring hemlocks and the somber, serried firs. Then there came a mistiness in the air, making the noon-day sun red and unradiant. And the woodsman knew that there were forest fires somewhere up the wind.

A little anxious, he studied the signs minutely and concluded that, the wind being light, the fires were too far distant to endanger the Quah-Davic region. Thereupon he decided to make a hurried trip to the settlement for a sack of middlings and other supplies, planning to return by night, in order that the little red cow should not miss more than one milking.

On the afternoon of the woodsman's going, however, the wind freshened into a gale, and the fires which had been eating leisurely a way through the forest were blown into sudden fury. That same evening a hurricane of flame swept down upon the lonely cabin and the little wild meadow, cutting a mile-wide swath through the woods, jumping the Quah-Davic, and roaring on to the north. It was days before the woodsman could get back along the

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smoking, smoldering trail, through black, fallen trunks and dead roots which still held the persistent fire in their hearts. Of cabin and barn, of course, there was nothing left at all, save the half-dug cellar and the half-crumbled chimney. Sick at heart and very lonely, he returned to the settlement, and took up his new abode on a half-reclaimed farm on the outskirts.

The red cow, meanwhile, being shrewd and alert, had escaped the conflagration. Instead of flying straight before it, and being inevitably overtaken, she ran at once to the river and galloped madly down the shallow margin. But she felt the withering blast of the flames, and their appalling roar was in her ears. With starting eyes and wide palpitating nostrils, she ran on and on, and stopped only when she sank exhausted in a reedy cove. There she lay with panting sides and watched far behind her the wide red arc of terror drawn across the sky.

The next day she wandered some miles further down the Quah-Davic, till she came to a neighborhood where the water-meadows were strung thickly along the stream, and where the pasturage, though now dry and untasty, was abundant. Back from the water-meadows was a region of low hills, covered with a second growth of young birches and poplars. Among the hills were ravines thick with hemlock and spruce. Here she established herself, and at night would make her lair in the deepest and most sheltered of the ravines, where a peculiarly dense hemlock veiled the front of an overhanging rock. This retreat was almost as snug as her old stable ; and, lying always with her long horns toward the opening, she felt comparatively secure.

As a matter of fact, though all these woods of the Quah-Davic were populous with the furtive folk, the little red cow saw few signs of life. She was surrounded, wherever she moved, by a wide ring of resentful solitude. The inexplicable *tunk-a-tonk, tank tonk* of her deep-throated bell was disquieting to all the forest kindred ; and the least move of her head at night was enough to keep the most interested prowler at a distance from the lair behind the hemlock. There was not a bear, a wolf, or a panther on the Quah-Davic (there was but a single pair of panthers, indeed, within a radius of fifty miles !) that cared to investigate the fighting qualities of this keen-horned red creature with the inexplicable voice.

Till the snow fell deep, covering the dry grass on the meadows, the little cow throve well enough. But when the northern winter had fairly settled in, and the great white stillness lay like sleep upon the ancient wood, and the fir trees, with their cloaking of snow, were so many spires and domes and pinnacles of glittering marble under the icy sunlight, then the wanderer would have starved if she had not chanced to be both resourceful and indomitable. From her lair under the hemlock, which was sheltered from all winds, her deeply trodden trail led both to the meadows and the birchen hill-slopes. She would paw her way down to the deep-buried grasses, — but it took too much digging to uncover a few poor and unsatisfying mouthfuls. Being adaptable, however, she soon accustomed herself to browsing on the slimmest of the birch and poplar twigs, — and so, having proved herself one of the fittest, she survived. When the late, reluctant spring brought the first green of sprouting grasses to the meadows of the Quah-Davic, it found the red cow a mere bag of bones, indeed, but still alive, and still presenting an undaunted pair of horns to a still distrusted world.

Into this unfriendly world, when the painted trilliums and the purple wake-robins were dotting every half-exposed glade, was born a sturdy bull calf. His sire was a splendid black thoroughbred Durham which had been imported to the settlement the previous summer for the improvement of the scrubby backwoods stock. The calf was jet black in color. As he grew, he soon began to show hints of his sire's broad forehead and massive fore-quarters. He had his mother's large, half-wild, discriminating eyes ; and his legs, soon throwing off the straddling awkwardness of calfhood, developed his mother's almost deer-like activity.

The summer passed uneventfully for the pair of aliens in the wilderness. Their food was all about them ; their enemies were kept at bay by the ceaseless *tunk-a-tonk* of the bronze bell. Thus it came about that to the black bull calf the wilderness seemed almost empty of life, save for the birds, the insects, the squirrels, and the fish leaping in the pools. To all these the bronze bell was a matter of indifference.

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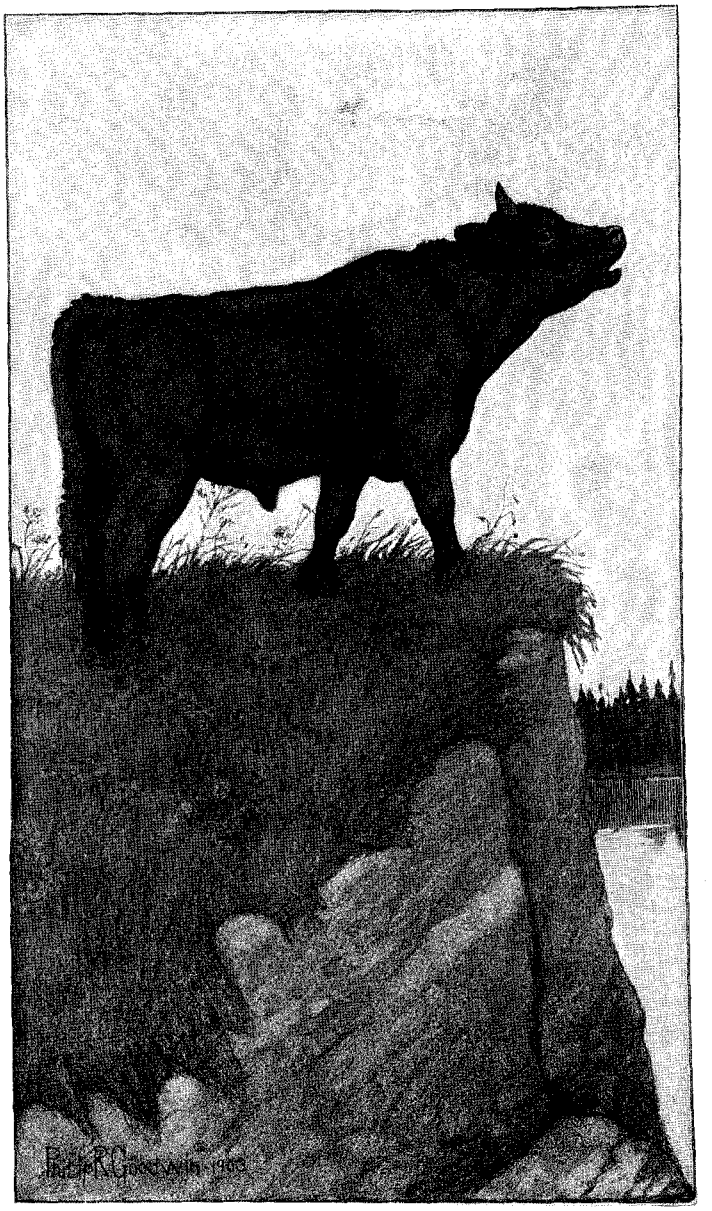

"stood and bellowed from his bluff in the fading sunset"

Once only, late in the autumn, did he get a glimpse of the old Quah-Davic panther. He and his mother were lying in the sun by the meadow's edge, comfortably chewing the cud, when the long, tawny beast came upon them suddenly, and stopped short about twenty paces distant. The little red cow, recognizing the most dangerous of all her possible enemies, had sprung to her feet with a bellow and lowered her defiant horns. Thereupon the panther had slunk off with a whipped look and a drooping tail; and the little black bull conceived a poor opinion of panthers. But it was the sudden *tonk-tonking* of the bell, not the challenge of his redoubtable mother, that had put the fierce-eyed prowler to flight.

It was much the same with the bears, who were numerous about the Quah-Davic. They regarded the noisy bronze bell with hatred and invincible suspicion. The black bull calf never saw a bear in any attitude

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"The bear was surprised, and halted"

save that of sulkily slinking away from his mother's neighborhood; and therefore, in that first summer of his life, he conceived a very dangerous contempt for bears. As for the lynxes, those soundless-footed gray shadows of the wild, neither he nor his mother ever saw them, so fearful were they of the voice of the bell. But their screeches and harsh caterwaulings often filled his heart with wonder. Fear he had as yet had no occasion to learn; and therefore he had little real part in the ever-watchful life of the wilderness.

But late in the following summer, when the fire-weed was beginning to crimson the open spaces on the hillside, did fate come to the water-meadows in a form which the little bronze bell was powerless to avert. An Indian, paddling down the Quah-Davic to the sea, caught sight of the red cow drinking by the waterside. He knew the cow was a stray, and therefore no man's property. He knew he wanted fresh meat, to say nothing of cowhide for moccasins and thongs. Up went his big smooth-bore muzzle-loader. There was a deafening, clattering report, unlike the smart detonation of a rifle. The little red cow fell on her knees, with a cough and a wild clamor of the bell, — then rolled over in the shallow, shimmering water. With a whoop of exultation the Indian thrust ashore; and as he did so, the black yearling, taught terror at last by the report and by the human voice, broke from his covert in a willow thicket and dashed wildly into the woods.

When he came back, hours later, the Indian had vanished; and with that strident bellow of his, from which the calf-bleat was not yet quite gone, he trotted down the bank to look for his mother. But the smell of fresh blood, and the red spectacle which he saw on the pebbles of the river-beach, struck a new and madder terror into his heart. With stiffly uplifted tail and staring eyes he dashed away again into the woods.

From that day he never again went near that particular meadow; neither, though for days he called to her in his loneliness, did he search any more for the mother who had so suddenly disappeared out of his life. Standing on the edge of a bluff, in the fading sunset, he would thrust his head and neck out straight and bellow his sonorous appeal. Then he would stop and listen long for an answer. And as he called, evening after evening in vain, a deeper, surer tone came into his voice, a more self-reliant, masterful look into the lonely but fearless eyes with which he surveyed the solitude.

Again came autumn to the Quah-Davic, with the pale blue smoke of asters along the meadow edges, the pale gold glimmer of birches on the slopes, and the wax-vermilion bunches of the rowan berries reflected in each brown pool. By this time the black bull was of the stature of a well grown two-year-old, massive in the shoulder, lean and fine in limb and flank, with a cushion of dense,

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close, inky curls between his horns. The horns themselves — very short, thick, keen-pointed spikes of horns — were not set forward, but stood out absolutely straight on either side of his broad black head. Young though he was, he was an ominous figure to all the furtive eyes that watched him, as he stood and bellowed from his bluff in the fading sunset.

Since the voice of the bronze bell was hushed, the wild creatures were no longer held aloof. Hitherto the red squirrels and the indifferent, arrogant porcupines were the only animals he had noticed. But now

"a pathetic sprawl of long limbs and long, ineffective, beautiful antlers"

he saw an occasional slim and snaky mink at its fishing; or a red fox stealing down upon the duck asleep in the lily patch; or a weasel craftily trailing one of the brown hares which had of a sudden grown so numerous. All these strange little beasts excited his curiosity. At first he would sniff, and snort, and approach to investigate; which would lead, of course, to an immediate and discouraging disappearance. Only the fox was too haughty to disappear. He would maintain a judicious distance, but otherwise seemed to regard the inquisitive bull with utter unconcern. This unconcern, together with the musky smell of the bush-tailed red stranger, at last so incensed the bull that he charged furiously again and again. But the fox eluded him with mocking ease, till the bull at last sulkily ignored him.

The bull's next important acquaintance was the lynx. He was lying under a scarlet maple, chewing his cud, and lazily watching a rabbit scratching its ears some dozen paces distant. Suddenly a soundless gray shadow shot from a thicket and dropped upon the rabbit. There was a squeak, a feeble scuffle; and then a big lynx, setting the claws of one paw into the prey, turned with a snarl and eyed venomously the still, dark form under the maple. This seemed like a challenge. With a mixture of curiosity and indignation the young bull got up, grunted, pawed the earth once or twice by way of ceremony, and emerged to the encounter. But the lynx had no stomach to meet the charge of that sturdy front. He snatched up the rabbit in his jaws and bounded away into the underbrush.

A few days later, as the bull again lay under the scarlet maple and looked out

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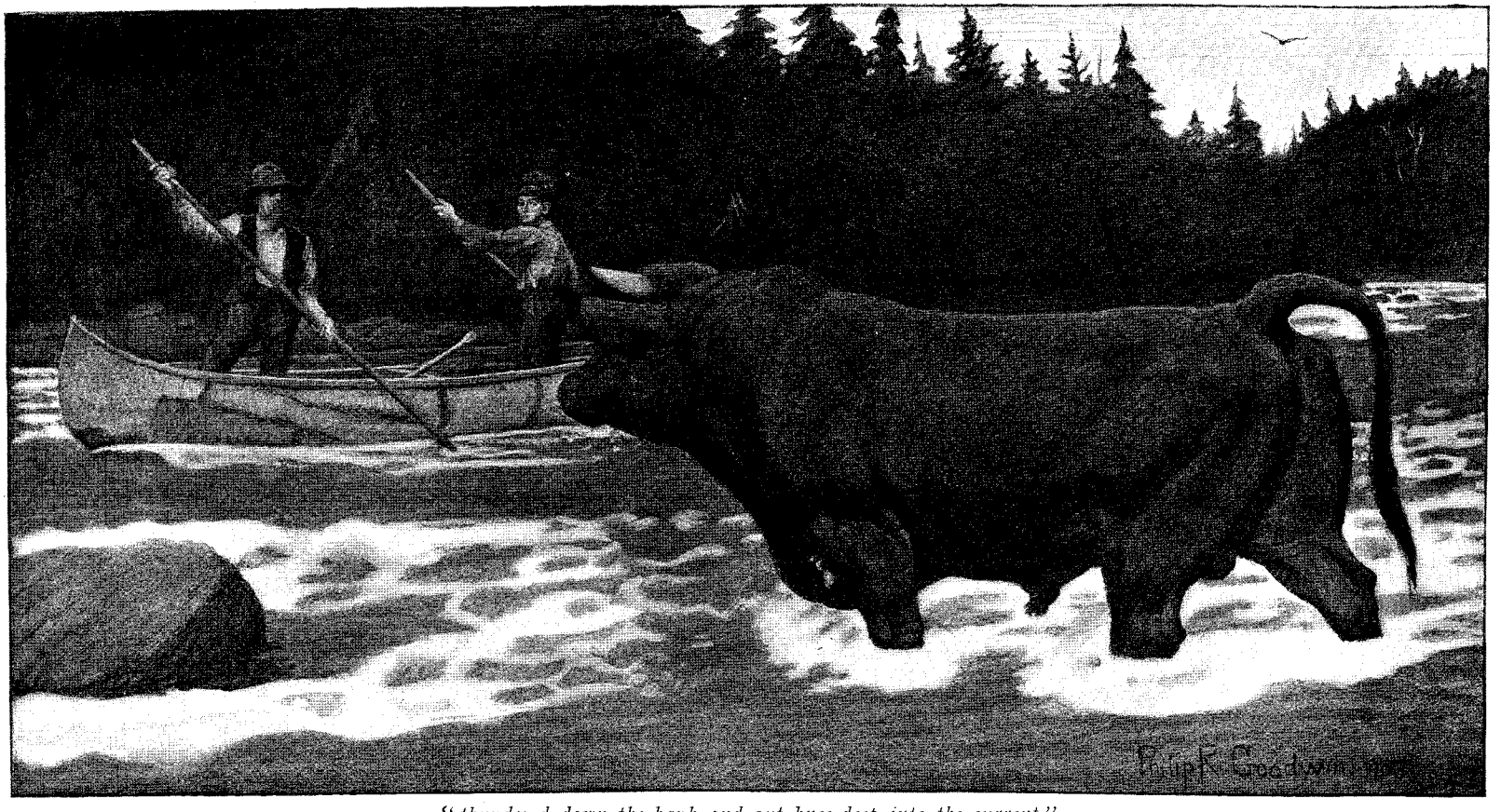

"thundered down the bank and out knee-deep into the current"

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contemplatively over his yellow autumn world, a large bear lumbered past, taking his own well-beaten trail to the waterside. The bull lurched to his feet, and stood on guard, for this was a formidable-looking stranger. But the bear, fed fat with autumn berries, was at peace with all the world. He gave the black bull a shrewd glance out of his little cunning eyes, and paid no further attention; and the bull, seeing no incentive to a quarrel, snorted doubtfully and lay down again. After this he saw several more bears, but, being well-fed and lazy, they made no effort to molest him. Then, one unfortunate day, as he came up dripping from his favorite pool, he met one face to face.

The bear was surprised, and halted. He half settled back upon his haunches, as if to turn aside and yield the path. Then he thought better of it and held his ground, being at the moment good-natured enough, but careful of his dignity, as a bear is apt to be. The young bull, however, was enraged at this obstinate intrusion upon his trail. He was unlucky enough to remember how often he had seen bears slink off to avoid his mother's charge. With an angry bellow he lifted his tail, lowered his head, and launched himself upon the intruder.

The bear, poising himself upon three legs, gracefully and lightly avoided the attack, and at the same instant delivered a terrific buffet upon the young bull's neck. The blow struck low, where the muscles were corded and massive, or the neck would have been broken. As it was, the bull went staggering to his knees at one side of the trail, the blood spurting from his wounds. In that moment he realized that he was not yet a match for a full-grown bear. Smarting with pain and wrath, he rushed on up the trail and hid himself in the old lair under the hemlock. When again, some days later, he met another bear, he made haste to yield the right of way.

While the young bull's wounds were still red and raw, there came a big-antlered, high-shouldered bull moose to the bluff overlooking the Quah-Davic. The moose was surprised at sight of the short-legged black animal on the bluff. But it was the rutting season, and his surprise soon gave way to indignation. The black bull, whose careless eyes had not yet noticed the visitor, began to bellow as was his evening wont. The moose responded with a hoarse, bleating roar, thrashed the bushes defiantly with his antlers, and shambled up to the attack. The bull, astonished and outraged, stood his ground boldly, and at the first charge got in a daunting blow between the enemy's antlers. But he was not yet strong enough or heavy enough to hold so tough an antagonist, and after a very few minutes of fierce grunting and pushing he was thrust clear over the bank and sent rolling down into the river. All next day he sulked, but when night came he returned to the bluff, his eyes red with rage. He found the moose before him, but not alone. A tall, dingy-colored, antlerless cow was there, fondling her mate's neck and ears with her long, flexible muzzle. This sight gave the young bull a new and uncomprehended fury under the impulse of which he would have attacked the moose had it been an elephant. But the moose, thus interrupted in his wooing, was far more dangerous than he had been the night before. Like a whirlwind of devastation he rushed to meet the intruder, and the young bull was hopelessly overmatched. Within five minutes he was gored, beaten down, pounded from the field, and driven bellowing through the bushes.

The next winter set in early and severe, driving the drowsy bears into their winter quarters and their long, snow-comforted sleep before they had time to get hungry and dangerous. When spring came it found the black bull a big, burly three-year-old, his temper beginning to sour with an unhappiness which he did not understand; and by the time the bears came, hungry from their winter sleep, he was quite too formidable to be meddled with. Stung by humiliating memories, he attacked with fury every bear he saw, and they soon learned to give him a wide berth.

As the summer wore along his loneliness grew more bitter and distracting. He would spend sometimes a full hour upon the bluff, when the yellow day was fading into dusk, bellowing his calls across the stillness, and waiting for he knew not what reply. He was now a huge and daunting figure. When, at last, came round again the full October moon, and the spirit of mating went abroad on the crisp air, he grew more restless than ever. Then, one night, on a clear white stretch of sand some distance down the shore, he saw a cow moose standing close by the water.

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He was much interested, and half-unconsciously began to move in her direction. When she stretched out her long, ungainly head and uttered her harsh call, he answered with a soft, caressing bellow. But at almost the same instant her call was answered by another and a very different voice; and a tall bull moose strode out arrogantly upon the sand.

The black bull's heart swelled with wrath and longing. With a roar he charged down from the bluff, and the moose, diverted from his wooing, turned to meet the assault. But he was no match for this dreadful black bulk that rushed down upon him with the resistlessness of doom. He went down at the first crash, a pathetic sprawl of long limbs and long, ineffective, beautiful antlers; and, barely escaping with his life, he fled away into the thickets. Then, satisfied with his victory, the black bull lifted his head and turned to the watching cow.

The cow, after the manner of her kind appreciating a conqueror, awaited, somewhat doubtfully, his approach. But when he was within a few feet of her, wonder and interest gave way to terror. His bulk, his blackness, his square, mighty head, his big, blazing eyes, and short, thick muzzle, filled her with repulsion and amazement. With a wild snort she turned and fled into the woods.

After this experience the black bull's loneliness grew almost intolerable, and his temper so bad that he would go raging up and down the woods in search of bears to chase. The winter cooled him down somewhat, and in the spring his temper was not so raw. But he was now troubled with a spirit of wandering, and kept ranging the woods in every direction, only returning to the young green of the water-meadow once or twice a day.

One afternoon he was browsing irritably near the bank when he heard voices that made him look up sharply. A canoe was passing up stream, poled by two men. It passed slowly, surging against the current. As he looked at the men a dreadful memory stirred within him. He recalled the loud report which had driven him mad with fear on that day when the red cow disappeared. He remembered an appalling sight on the beach of that lower meadow which he had never visited since. His eyes went red. With a grunt of fury he thundered down the bank and out knee-deep into the current.

The men in the canoe were astonished, and hastily pushed over toward the other shore. The one in the bow laid down his pole and reached back for his rifle. But the man in the stern intervened.

"What's the good o' shootin' him?" said he. "He can't git at us here, an' we ain't a-wantin' for grub! Let him be!"

"That's so!" said the other, picking up his pole again. "But ain't he handsome? An' mad, eh? How do you suppose he come here, anyways?"

"Strayed!" grunted the man in the stern, bending to his pole as the canoe met a heavier rush of the current.

As the two voyagers pursued their strenuous way up stream, the furious bull kept abreast of them along the shore, splashing in the shallows and bellowing his challenge, till at length a stretch of dense swamp headed him off and the canoe vanished from his sight.

He was now in an unknown territory, miles away from his meadows. His rage against the men had all died out, but some faint stirring of inherited instincts impelled him to follow for companionship. A dim intuition told him that where they were going dwelt some kind of relief for his loneliness. He skirted the swamp, rejoined the river, and kept slowly on his way up stream, pasturing as he went. He had turned his back forever on the water-meadows and the life of which he could not be a part.

After two days of leisurely journeying he passed through a belt of burnt lands, and had his curiosity mildly excited by a blackened chimney rising from a heap of ruins near the water. Through this burnt land he traveled swiftly, and about dawn of the fourth day of his quest he came out upon the pasture-lands skirting the rear of the settlement.

Here he found a rude but strong snake fence, at which he sniffed with wonder. Then, beyond the fence, a creature shaped something like himself, but red and white in color, got up from among the misty hillocks and stared at him. But for the color, he might have thought it was the little red mother who had vanished two years before. *This* was what he had come for. This was the object of his quest. Two or three other cows and some young steers, presently arose and fell to feeding. He lowed to them softly through the rails, and they eyed him with amiable interest. With a

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burst of joy, he reared his bulk against the fence, bore it down, trotted in confidently, and took command of the little herd. There was no protesting. Cows and steers alike recognized at once the right of this dominant black stranger to rule; and soon he fell to pasturing among them quietly, his heart healed at last of its loneliness.

The two canoe men, meanwhile, on their arrival at the settlement, had told of their encounter with the wild black bull. As they described the adventure to a little circle gathered in the back room of the grocery, the old woodsman whose cabin had been burned in the great fires was one of their most interested listeners.

"I'll bet he's mine! I'll bet he's out of the little red cow I bought just afore the fire!" he exclaimed at last. And his theory, duly expounded, met with general credence.

When, therefore, a couple of mornings later, the old woodsman, on going to the pasture to fetch in his cows for the milking, found a lordly black beast in command of the herd, he understood at once. With judgment born of intuitive understanding he let down the pasture bars, unnoticed, then went over near the stable door and called. At the familiar summons the cows lifted their heads, and came filing lazily toward the open bars, which lay a little to one side of the direct way to the house. But the black bull was of another mind. He saw the man, and straight his eyes saw red. He pawed the earth, roared angrily, gave one uncertain glance at the cows sauntering away from him, and then charged straight for the unknown foe.

The woodsman noticed that the bull was not heading for the bars.

"The fence 'll stop him," he said to himself confidently.

But not so. The wild bull had no conception of the sanctity and authority of fences. The stout rails went down before him like cornstalks. The old woodsman shook his head deprecatingly, stepped into the stable, and latched the door.

The bull, much puzzled at the unaccountable disappearance of his foe, stopped for a moment, snorting, then dashed around the barn to see if the enemy were hiding on the other side. Twice he circled it, his rage increasing instead of diminishing, and then he caught sight of the man's face eyeing him calmly through the little square stable window.

He stopped again to paw the earth, bellowing his heavy challenge, and the old woodsman wondered what to do. He wanted the splendid black bull for his little herd; but he was beginning to have serious misgivings. Moreover, he wanted to get into the house. He threw open the stable door and, as the bull dashed in, he scrambled through a manger, swung himself into the loft, dropped from the hay window, and darted for the house at top speed. He had had an idea of shutting the stable door and imprisoning his unmanageable visitor; but the bull was too quick for him. He got the heavy kitchen door slammed to just in time. Thoughtfully he rubbed his grizzled chin as he glanced out and saw the black beast raging up and down before the window.

"Can't do nothin' with that, I'm afeared!" he muttered.

Just then the bull stopped his ravings, turned his head, and stared away up the road. There came a clamor of gay young voices, and the old woodsman, following the beast's eyes, saw a little group of children approaching on their way to school. Among them he noticed a girl in a bright scarlet waist. This the bull noted also. He forgot his enemy in the house. He grunted savagely, gave his tail a vicious twist, and trotted down the lane toward the road.

The old woodsman saw that the time had come for prompt action. He snatched up his loaded rifle from the corner where it stood always ready, ran out upon the steps, and shouted at the bull. The great black animal stopped and looked around, mumbling deep in his throat. He wheeled half about to return to the old enemy. Then he paused irresolutely and eyed the gay bevy of children.

While he hesitated the rifle rang out and the heavy bullet found its mark just back of his fore-shoulder. He sank forward upon his outstretched muzzle and his knees, his tail stiffening straight up and quivering. Then he rolled over on his side.

The old woodsman strode down the lane and stood over the great black form. His shrewd gray eyes were filled with regret and sympathetic comprehension.

"Spiled!" said he. "Clean spiled all 'round! The woods, they wa'n't no place fer you, so you had to quit 'em. But they spiled you fer the habitations o' man. There wa'n't no place fer you neither here nor there!"

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A KIND OF HERO

BY

W. H. BOARDMAN

AUTHOR OF "LOVERS OF THE WOODS"

ILLUSTRATED BY FREDERIC R. GRUGER

"I would have everything esteemed as heroic which is great and uncommon in the circumstances of the man who performs it." — *The Tatler.*

THE rain was pouring heavily in the Adirondacks and the South Fork was booming in its bed when Will made the noon entry in the daily journal at Char Creek Hatchery:

SATURDAY, DEC. 21.
Temperature: Air, 49° above.
do Water, 41° above.
Rain gage, 6 tenths inches.

REMARKS:

Rained stiddy since yestiddy.

I had tried to impress upon Will that the winter records of the Hatchery should be a complete history and contain a good deal more than the weather reports, for which there were blank forms under each date, followed by the suggestive heading, "Remarks." The composition of remarks was always a severe trial to him. He said it made his face ache. Now, as he poised his pen, his mouth writhed about the end of its holder as he slowly wrote this addition:

Crik is up. South Fork will be raisin' hel ef it keeps a comin'.

The flow of water in the South Fork is more erratic than it used to be. Its floods are more quickly responsive to rain-storms. All along its thirty miles of watershed the tree-cutting goes on year by year, reducing the shade that protects the mosses and the peculiar forms of under-cover which detain water. And more and more the fires get in and burn up the covering of the rocks, so that the rain-water runs down hill as fast as it can go and fills the river full. The flood records are broken quite often

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nowadays. From the same cause there is less seepage from mosses and duff in dry times, so that low-water records are broken. Will sums it all up in one sentence: "The South Fork ain't so stiddy as it used to be."

The unseasonable warm weather and the heavy rain had in a day carried away the snow and left the ground dark-brown and bare. The trunks and skeleton branches and little twigs of the hard-wood trees were water-soaked and nearly black. In the dull lighting of the storm the wet evergreen leaves of the hemlocks, balsams, and spruces were darkened. The broad-leafed trees had shed their foliage and, because of this, you could get long-distance glimpses through the forest and see the lay of the land as you cannot do in the summer. You could see the hard-wood flats and slopes, the hills and valleys that never appear to the eye when the leaves are on, the up-hills and down-hills that are found and recognized by the summer sportsman only by tramping over them. But it was all black and sodden. The limbs were not "ugly" now, as the lumbermen say; they were limp and lifeless and did not "hit back" as you brushed them, but the scene was dispiriting; more than that, it was fearsome. Without reasoning it out or knowing exactly why, it seemed portentous and wrong, but perhaps this was only because the weather was untimely.

Will went to the ice-house to saw out a frozen venison steak, and he handily cooked dinner before calling Otto up from the trough-room below.

"No more venison after this month, Otto. I jined the 'Sociation this year and it's to be close season where nobody sees us, jest same's outside."

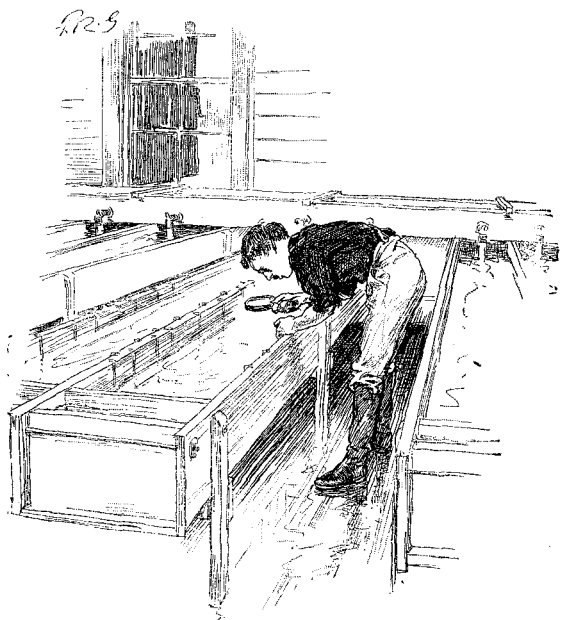
"All right, Mr. Ring. Venison is goot, but to de ribs it is de pork vat sticks, and molasses vat makes warm in de coldt nights. I live on dose till spring comes and we have fish."

"Otto," said Will with sudden prescience, "you better start out after dinner for more supplies. The crik is boomin' and the Fork'll be tearin' everythin' to pieces in a day or two. Likely, the Elbow bridge will go out and then where are we, with ice a-runnin'?"

"I go righd avay," said Otto. "De trays I pigd all over dis morning and dook oud 940 dead eggs, and on de chard I wrode dem. Mud is coming in de troughs and some eggs is choking up mid it. You haf hard time to-morrow, Mr. Ring, midout me, keeping clear water in de troughs."

"I'll do that, Otto; but you must tramp all night and get back to-morrow, or you may not find any bridge at the Elbow, and ice'll be runnin' so you can't get a boat through. There's trouble a-comin'."

The Hatchery building hangs over, it is literally "on," the beautiful brook that supplies the water for hatching trout eggs. The keen woodsman who has charge of it lives upstairs with his one helper, Otto, the willing. The big main floor is nearly covered with parallels of long, shallow, rectangular water boxes, through which the clear water gently flows over floating trays of wire gauze. The trays are carefully paved with eggs that look like pearls, but they are alive and are exquisitely sensitive. They must be always covered with pure water, running water, until, in a few months, they become trout and can be set free. A great head trough receives the rushing water from two intake pipes and crosses and feeds into the heads of the parallels. Somewhat more than a million trout are there at the dawn of consciousness, and the unfittest are already failing of survival. In one long morning Otto has brushed his feather over all of them, and his pincers have picked out nearly one-tenth of one per cent. of dead ones.



"he examines them under the magnifying glass"

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"More'n the evridge," said Will. "It begins to look bad."

The young woodsman had a full sense of his responsibility. Too much dust or sand coming in from flood water chokes the pores and strangles life in the eggs. If the pipes are frozen for an hour, so as to stop the flow of water and expose the eggs to the air, a million babies drown in air and all the year's investment is lost. Will has cultivated such a tender enthusiasm that I think he would shed tears over the loss of his babies, for the eggs are all alive, and, as he examines them under the magnifying glass, he notes each day the change in the form inside the egg. Has the little trout a sense of feeling, a consciousness, now? Will thinks so, and, although he is not sure of it, he handles them tenderly. When the little trout bursts the shell, it quickly shows fear and anxiety, and during the more than a month that the egg sac clings to him and automatically feeds him, he learns how to hide. This is the first of the two great lessons which he studies throughout his whole life. When his feeding egg is absorbed he becomes hungry, and he begins his second life-lesson — he hunts for food. Safety, hunger, and the breeding instinct are the motives of a trout's life. He has, I believe, no diversions, and no stomach for them.

Will was apprehensive. The rain kept coming straight and sullen, and, worse still, it seemed to be growing warmer. At four o'clock he read 58° on the thermometer, and nervously walked down the quarter-mile trail to the river. It was fast rising, and he hauled the boats up above any known high-water mark.

The next day the noon journal entry reads:

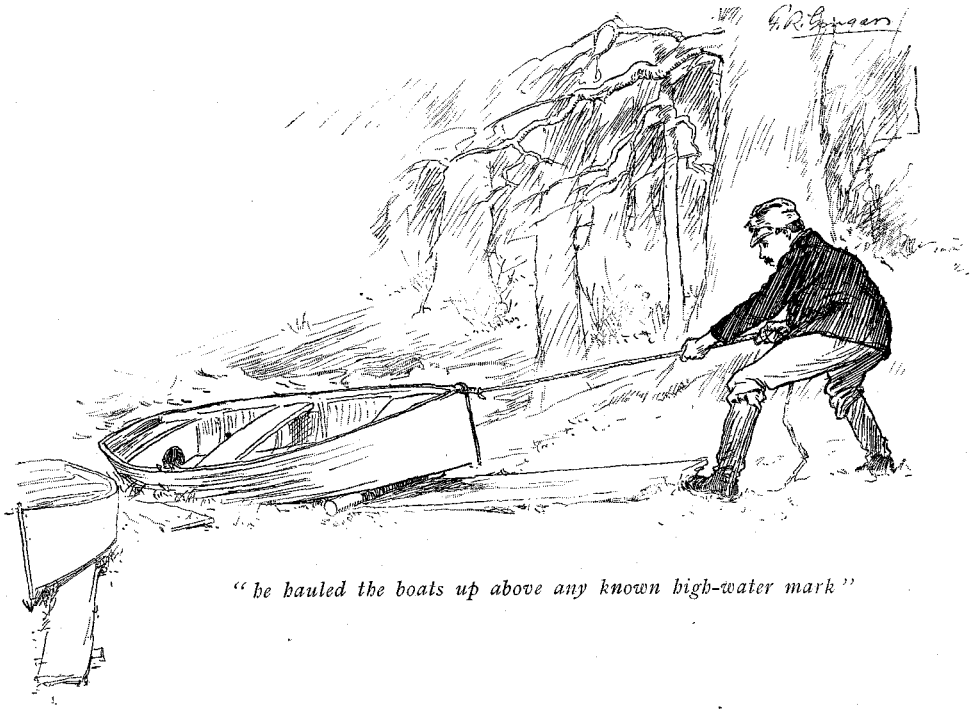
SUNDAY, DEC. 22.
Temperature: Air, 59° above.
do Water, 49° above.
Rain gage 13 tenths inches.

REMARKS:

Still a comin'. Water running 2 ft. over hatchery dam, has tore out coverin' of 5-inch pipe and is rushin' through the air box.

The Hatchery was fed by two pipe-lines. There was a big pipe five inches thick to the main dam, seventy-five yards, laid in a wooden box under a deep covering of duff and hay. The wooden box kept an air-space about the pipe which prevented freezing, but the flood had carried away the covering, and the air-space was full of water. There was also a little pipe, three inches thick and two hundred yards long, to the upper dam.

It was a busy Sunday for Will. He was alone, but too busy to be lonesome. He dared not take off his clothes during the night, and he had but one short nap towards daylight. He set additional screens at the dams at the head of each intake to keep as much drift as possible out of the pipes. Inside the Hatchery he set and tended a series of screens of wire gauze,



"he hauled the boats up above any known high-water mark"

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mosquito netting, and cheese cloth, watching them closely, changing them often, and keeping the water clean. Towards evening the rain changed to a violent hail-storm, which soon passed. Then the mercury fell rapidly to zero. Will was not at all tired.

All of Sunday night was spent in keeping a line of fires burning over the little pipe to the upper dam. Two hundred yards of fire is hard to keep going in zero weather, and he found it especially hard because he had to make frequent runs to the Hatchery in order to change and clean the screens, which now rapidly loaded with sand and drift. He had also to carefully tend the fires in two hatchery stoves, for the hail-storm had broken some of the windows and there was danger of freezing in the outlet pipes. It was a busy night, but he had his second wind and was cheerful.

Monday morning opened bright and clear and bitterly cold. The whole landscape was completely changed, and the morning sun developed "what signs and wonders God had wrought." During the quick drop of more than sixty degrees the rain-water on the evergreen leaves, on the bare branches, twigs, and bodies of trees, and everywhere on the ground, had frozen to a crystal coating. All around the Hatchery there was created a new world, where the yellow morning sunlight slanted and danced in a forest of gems. Yesterday all was black, but now the trees were:

"Glittering in golden coats, like images;
As full of spirit as the month of May,
And gorgeous as the Sun at midsummer."

I wonder what thoughts came to Will's mind when he spared a moment to drink in this new creation with his keen eyesight! I know him well, his student-like thirst for all the information to be got by seeing and hearing, his love of nature, and his simple devotion. I think it impressed on him more deeply than ever before that feeling of reverence which is characteristic of the real woodsman.

The water running in the new channel cut by the flood over the big pipe was frozen, and the air-box, which had been filled with water, soon became a solid mass. After nine o'clock no more water came into the Hatchery through that pipe. This was serious, for the smaller pipe was barely sufficient to keep life in the large family in the troughs, and, as the mercury was now 20° below zero, there was liability at any moment of losing the service of the little pipe, and then Will's million babies would drown for lack of water. Will could not be everywhere at once, and some of the fires on the line were now often out for dangerously long times. He was not tired yet; he was tough and full of enthusiasm. He decided to let everything go, except keeping the screens free, and try to thaw out the big pipe.

With a pick and crowbar he quarried his way through the ice, over and inside the air-box, and exposed the whole seventy-five yards of pipe. He did not do this all at

"quarried his way through the ice"

once, but, beginning at the lower end, he chopped out one length and unjointed it and warmed it by the fire, while he worked on the next joint. By one o'clock he had freed the whole line and covered it deeply with hay carried in from the barn. After he had turned the gate at the dam, to let the water run again through the big pipe, he ran to the Hatchery to adjust its screens, and, while working on them, saw the flow from the little pipe grow smaller and smaller, and finally stop. It was frozen solid. It was a narrow escape. The big pipe had been thawed and restored to service barely in time.

It is a strange fact that Will had at no time any doubt of success, or any fear

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until now. He gasped and shivered, and sat down to think about it, for the million trout had grown in his mind to be as so many human lives. But, happily, his sense of duty to be done was much keener than his capacity for reminiscence, and he started suddenly when he remembered that he had failed to take the noon observations and make the record in the journal. His satisfaction vanished and he felt absurdly guilty as he ran to make this belated entry:

MONDAY, DEC. 23.
Temperature: Air, 27° below.
do Water, 29° above.
Rain gage 3 tenths inches.

REMARKS:

3-inch pipe is froze. 5-inch pipe was froze but ain't now.

Then he remembered Otto, and, feeling vaguely anxious about him, he ran down to the river. It was a raging, impassable, angry flood, with racing ice-cakes that reared up and ground against each other in the whirls and at the edge of eddies. Standing by a fire on the farther side he saw Otto stolidly smoking.

"How long you been there?" Will shouted.

"All nide," answered Otto.

"Bridge gone?"

"It is aus."

"Go up-stream till you find a stillwater you can cross on."

"All righd."

Will watched the river for a while until he became conscious of a growing feeling of horror; then he left it. I think he was getting tired, but such a feeling would be entirely new to him and he probably did not recognize it. His woodsman's eyes had seen a good deal in the short time he watched the river, and when he returned to the Hatchery, he cut loose and wrote the longest entry in the journal which that statistical volume contains under the head of "Remarks":

River boomin' and lots of stuff goin' down. Two of our boats is gone. Saw a table I made for Summer camp, so that camp is gone. Saw some squared birch with duv tail ends that must hev come from Summer dam, so that dam is gone. Saw parts of a bridge that come from the Crik all right. No eggs lost in Hatchery. Sorry about them 2 boats. I hed ought to hev been more careful.

When Otto came, Will did not let him rest a minute. Together they began drilling along the frozen three-inch line,

"He carried him to bed and cared for him tenderly"

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unjointing the pipes and thawing them out. Fortunately they had frozen first at the upper end and there was not much ice inside. Working most of the night, by noon on Tuesday they had relaid it on the ice of the frozen brook, had cut a channel under it through the ice, and had dropped the whole pipe-line in the bed of the brook where it was safe from freezing. Then Will made this entry:

TUESDAY, DEC. 24.

Temperature: Air, 21° below.
do Water, 31° above.
Rain gage ———

REMARKS:

All pipes runnin'.

His work was done. He had saved a million lives, he was exquisitely tired and had reached the limit of human endurance. Otto tells me that when he came up for his dinner on Tuesday, he found Will asleep, or in a state of coma, in his chair with the penholder in his mouth. He carried him to bed and cared for him tenderly, for he had been frozen in several places and needed care. Otto watched and tended him through the night and on Wednesday occasionally waked him and fed him venison tea. I think Otto's treatment was good, for Will slept more and more restfully until Thursday, and then he made this noon entry in the journal:

THURSDAY, DEC. 26.

Temperature: Air, 22° below.
do Water, 32° above.
Rain gage ———

REMARKS:

Sorry I skipped yestiddy.

THE STATE OF KENTUCKY *VS.* CALEB POWERS

BY

SAMUEL HOPKINS ADAMS

ILLUSTRATED WITH PORTRAITS

EDITORIAL NOTE. — At the time of the Powers trials the principal newspapers of the country were supplied with reports of the proceedings through local newspapers which were fully committed to the anti-Powers cause, and which, both by omission and by bias, presented a distorted view of the trials. Thus the country at large received, throughout, a strong impression of the defendant's guilt; so strong, indeed, that outside of Kentucky the conviction of Powers was universally accepted as righteous. This article purposes to deal with the actual facts in the case without respect to political opinion.

IN the Louisville jail lies a young man under sentence of death for the murder of William Goebel, who died Governor of Kentucky, four years ago. The prisoner is Caleb Powers. Since his arrest in March, 1900, Powers has not known an hour of liberty. Three times he has been tried for this crime; three times convicted; two of the convictions condemning him to life imprisonment, and the last, condemning him to be hanged.

A situation well-nigh hopeless he has faced each day with the unfailing front of hope. Conditions that would have broken

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down ninety-nine out of a hundred of even the most hardened criminals have failed to weaken the courage or undermine the self-control of this young man of thirty-two. When I saw him in the Louisville jail, there was nothing in his appearance or bearing to indicate his long ordeal. He is a fine type of the mountaineer; tall, slenderly but strongly built, with a clear and open face, an eye that looks straight into yours, a high and broad forehead, and a set chin and mouth in which the lines of youth have hardened into grim resolution and endurance. Of his own attitude toward the case he had nothing to say, beyond the simple asseveration of innocence.

"I had no more to do with the killing of Senator Goebel than you had. They convicted me, not on evidence, but on belief and prejudice — as they convicted Jim Howard," he added, with a kindly glance at his companion in the jail, who is under life sentence for the same crime. "I am absolutely innocent of any part in the murder."

Then he went on to tell of the legal and political aspects of the trials. And, as he talked, I found myself forgetting that this man had any interest in the case except as a problem. Never once did he strike the note of personality. I had seen one of his counsel, as he inveighed against the injustice of the prosecution, walk up and down his office with twitching hands and swollen forehead, his voice uneven with impotent wrath; but Caleb Powers, with the noose dangling above his head, marshaled, in his quiet even tones, the logical facts of the case, admitting here the imprudence of some of his actions, regretting there a step that laid him open to misconstruction, but always insisting upon the potency of the facts that exculpated him, and the inadequacy of the testimony that tended to connect him with the crime.

"Could a jury be found in your State to convict a defendant on such evidence?" he asked in conclusion, and awaited the answer with the detached interest of one who has been propounding a hypothetical case.

How deeply the bitterness of the Goebel killing has entered into the daily life of Kentucky no outsider can fully realize. The animosities engendered by it have brought about literally scores of fatal quarrels. Business partnerships have been dissolved; churches have been disrupted; lifelong friendships have been withered; families have been split; there is no locality so remote, no circle so close knit, as to have escaped the evil influence. In the smaller places one discusses the Goebel killing literally at peril of his life. At the capital of the State people dare not yet talk freely of it. The spirit which, during the imprisonment of Powers in Frankfort, prompted the persecution of some ladies who sent food to the prisoner, in such petty ways as the ruining of their gardens, the poisoning of their domestic pets, and the inspiring of insulting paragraphs in the local paper, is still alive. Within a few months certain prominent families of the little city were suspected of "talking too much." No specific threats were made, but their outhouses and barns began to catch fire mysteriously. They ceased from any further expression of opinion on the Powers case. Even in the small matters of social life the bitterness has persevered, and the young wife of Governor Beckham, a woman of charming personality and a member of an old and prominent Kentucky family, was for a long time all but ostracized in a place of which she is, officially, the social head.

Nor has political retribution passed Kentucky by. Emotional and sentimental considerations naturally constituted the Goebel wing of the Democratic party — its most corrupt element — Goebel's political heirs. The demand for revenge was their rallying cry. As recently as the last gubernatorial campaign this was an issue. It has helped to fasten upon Kentucky the rule of the worst, and to put Louisville, the principal city, in the control of a self-perpetuating minority. It has produced and manipulated two great funds, of which no accounting has yet been made: the Goebel detection fund, and the Goebel monument fund collected from office-holders under pressure. It drove from its fellowship for a time the old-line Democrats, the men who upheld the honorable ideals that survived the defeat of the Civil War. Now these older Democrats are coming back into the fold; some shamefacedly, some with loud outcry of party loyalty. To speak to them of the famous case is to prod an open sore. When the time comes, they will raise their voices in a last appeal to save Kentucky from the murder of Powers.

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What is the gist of the cause that has so embittered an entire commonwealth? To understand it, one must go back to the career of that remarkable politician, William Goebel. Goebel, in 1899, had established himself as the dictator of the Democratic party. In the previous year he had forced through the Legislature a bill of startling boldness, known as the "Goebel law." This law vested in a partizan board of three members, elected by the Legislature for a term of four years, the power to canvass the election returns, to adjudicate contests, and to determine which candidate was elected. Practically, it was designed to give to three men, chosen at Goebel's behest, the governor-making power, and to establish Goebel as absolute dictator of the State. This was the point at which ordinary partizan antagonism deepened into a far more violent feeling. Goebel became personally the object of such hatred as no man of his time had inspired; perhaps, too, of a more unquestioning loyalty than any member of his party had yet drawn to himself. A saying was current among the Republicans that he would never live to profit by his own law.

"There were five hundred good men in Kentucky — not hired assassins, but men of standing — who stood ready to pick a quarrel with Goebel on the street, and kill him, as he killed Sandford," declares a Kentuckian who thoroughly knows his State. "Knowing this, he kept himself surrounded by a body-guard."

Nor was the opposition of the conservative, old-line Democrats much less keen. Such leading papers as the Louisville *Post*, the Lexington *Herald*, and the Louisville *Courier-Journal* attacked the measure with the utmost vehemence, and sounded the warning against what they termed despotism. Later, Goebel, by the methods of which he was master, brought the *Courier-Journal* into line again.

"The signing of the Election bill will prove to be the signing of Goebel's death warrant," a prominent Democrat wrote in his record at that time, and after the shooting he showed the prophecy, under its old date-line, to his friends.

The Governorship was Goebel's goal. In the convention following the passage of the Goebel law, he was the weakest of three candidates, yet, by a wonderful combination of force and craft, he secured the nomination. William J. Bryan threw all the power of his influence to Goebel, and it was needed, for the old-line Democrats, charging treachery, nominated a third ticket. In a campaign of unprecedented bitterness, William S. Taylor, the Republican candidate, received a majority of the votes cast. Still, there was the Democratic election board to be heard from. To Goebel's consternation, his own board confirmed the election of Taylor by a vote of two to one. Goebel appealed from his own board to his own Legislature. He was then State Senator; the Legislature in both houses was slightly Democratic, and it is a notable feature of his political power that, even in disaster, he held his party in the hollow of his hand. He set on foot a movement to throw out some 50,000 votes on allegations varying from fraud to undue thinness of the paper on which the ballots were printed, and declare himself legally the Governor of the State.

Kentucky seethed. In many localities active preparations for an armed campaign began. Meetings were held, at which speeches of the most incendiary kind and threats of the most violent description inflamed the people. Letters and telegrams poured in from Kentuckians who had moved away, some of them years before, to Virginia and West Virginia; to Ohio, Indiana, Tennessee; even, in the case of one family, to Massachusetts, volunteering to return with their arms and take their part in a righteous war. A great cry went up from the Republicans — in which the anti-Goebel Democrats joined — that the stealing of the State must not be permitted; that Goebel must be kept from the Executive chair, if necessary, at the rifle's muzzle. The little capital city of Frankfort filled up with the fighting men of both parties. Goebel's supporters had stocked the municipal buildings with arms, and had men ready to use them.

Governor Taylor and the State officials had manned the Executive Building as if for a siege. The militia were under arms, ready for instant response to any call. Almost every member of both houses of the Legislature went to the sessions heavily armed. Rumors flew broadcast: the Democrats were preparing to capture the Executive Building by an armed sally; the Republicans had a plot to wipe out the Democratic majority in the Legislature

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by a volley from the gallery; Governor Taylor was to be shot; Senator Goebel was to be dynamited; the State House was to be seized — blown up — burned. And so on. Civil war seemed imminent; almost inevitable.

At this point of extreme tension, Caleb Powers, the newly elected Republican Secretary of State, sprang into prominence by organizing and bringing into Frankfort a regiment of men from his own mountain district. This district is strongly Republican. It is a region where men are habituated to the use of the rifle and the revolver; where the feud has flourished, human life is cheap, and laws are lax. The "mountain army," as it was henceforth to be called, was armed to the teeth. It was well under the control of Powers, who had been at West Point a year and had a natural aptitude for military matters. Ostensibly its purpose was to petition the Legislature, which it had a perfect right to do; its members had even the right to bear arms; but it may be imagined that the appearance of hundreds of rifle-bearing men in the State capital at this time had a far from pacific aspect. It may even be inferred that if fighting was to come about, Powers's men would take a hand in it. This "mountain army" movement focused all eyes upon Caleb Powers as the leader of the Republican element that would fight rather than be ousted. This was to tell heavily against him on the trials.

For days there had been casual expression that Senator Goebel was to be killed. This became common talk among the mountaineers.

"It was as common on Capitol Square as taking a drink of water," testified one of the prosecution's star witnesses, later. Goebel himself appreciated his danger. He went nowhere without one or the other of his body-guard — Jack Chinn and Eph Lillard, fighting men of the true Kentucky type. When he heard that the mountain men were coming he sent for a friend of Lieutenant-Governor John Marshall, presiding officer of the State Senate in which Goebel was then serving.

"Take a message from me to Marshall," said he. "Tell him I understand that there is a scheme to kill off the Democrats in the Legislature."

"If there is any such plot, you know John Marshall would be the last one to have any knowledge of it," said the man.

"Never mind that. Tell him that at the first shot, I'll kill him," said Goebel, who already had one killing to his credit. "He's got to take the chances of war."

"Marshall doesn't go armed," replied Marshall's friend. "Everybody knows that."

"Tell him that at the first shot, I'll kill him," repeated Goebel doggedly.

Marshall never learned of the message until after Goebel's death. Meantime, with the aid of the others, he had persuaded Powers to send back his "mountain army," the well-armed but terrified Legislature having refused to receive its petition. At the time of the shooting of Goebel, there were only a few stragglers from this body left in town.

On the morning of January 30, 1900, Powers set out for the western part of the State to bring in a body of petitioners of more peaceful aspect. That same day Jim Howard, of Clay County feud fame, came to town with the purpose of asking from Governor Taylor a pardon for the killing of George Baker. That morning Taylor was in his office, holding a consultation with his officials and other prominent Republicans. The contest in the Legislature was then going on. As Senator Goebel was on his way across Capitol Square, a shot rang out loud and clear from the direction of the Executive Building, followed by three other shots which sounded muffled. Senator Goebel half turned and sank to his knees, groaning. Jack Chinn, who was his escort, ran to the Capitol steps, his pistol drawn. Bystanders hurried to the wounded man, and it was found that a bullet had passed through his body in such a way as to ensure a fatal result. Instantly the square filled with armed Democrats. Some one cried out that the shot had been fired from the office adjoining Governor Taylor's.

"Tear the building down and hang every —— in it," yelled a voice.

There was a wild shout in reply and the mob began to form. It needed but a leader. As it hesitated the militia came down on the double-quick, entered the square, and formed a protective barrier about the Executive Building. Cooler heads among the Democrats now counseled moderation, beseeching the crowd to await some definite word

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from the wounded man. Had Senator Goebel died that day war could not have been averted. But he lived long enough to be sworn in as Governor, the infuriated Democratic majority in the Legislature of the State, with only a hopeless and perfunctory opposition from the Republicans, having thrown out enough ballots to change the result; and he left the conduct of the State to Lieutenant-Governor Beckham. Taylor and his entire administration ceased to have any official standing.

The first murderous resentment had now calmed down to a more definitely and coolly planned revenge. Men were indicted right and left, thirteen in the first lot. Evidence was sought against every man known to have been in the Executive Building when the shot was fired, and one man known not to have been there — Caleb Powers. Many of the indictments were obtained on evidence so flimsy that the trials were farcical. Gradually the spirit of vengeance began to concentrate upon Governor Taylor, because he was the head of the party, and Caleb Powers, because of his prominence as the leader of the "mountain army."

"Hang Taylor and damn the Republican party" became the watchword of the Democrats.

Governor Taylor fled to Indiana. He foresaw his fate if he stayed. Kentucky demanded his extradition. Indiana refused it. Never since then has he set foot on Kentucky soil. In the light of subsequent events his judgment seems to have been good. The Powers case shows that if Taylor were caught in Kentucky to-day, nothing on earth could save him from conviction and hanging at the hands of a Democratic court. Baffled of the chief object of their vengeance, the Democrats turned their wrath upon Powers. Against the advice of his friends, including Lieutenant-Governor Marshall, Powers now attempted to escape in the disguise of a militiaman, together with the captain of the Capitol police, who had also been indicted. He was discovered on the train, arrested, and brutally maltreated before being lodged in jail. On him was found a pardon from Governor Taylor for the killing of William Goebel. This was afterward a strong point against him on his trial. It must be understood, however, that under the Kentucky laws a pardon does not imply guilt, and that it is operative before the case at issue has come into the courts. Similar pardons were issued by Governor Taylor to several others of those indicted for the murder of Goebel.

The prosecution's case was that Howard had been summoned by Governor Taylor to kill Senator Goebel, and that Powers was an accomplice in the plot and arranged for Howard's admittance to the Secretary of State's office, whence the shot was fired. Howard, safe in his own Clay County fastnesses, where he could have eluded pursuit for a lifetime, came to Frankfort and gave himself up on learning that he was wanted. Henry Youtsey, the State Auditor's stenographer, was also charged with complicity and arrested.

In the impending legal battle for the conviction of Powers, all the material advantages were on the side of the prosecution. They controlled the machinery of politics down to the very jailers in whose charge the prisoners were. An appropriation of $100,000 had been made by the Legislature as a fund for the detection and prosecution of Senator Goebel's slayer, and this was placed at the disposal of the Commonwealth's counsel. To conduct the prosecution's case, Colonel Tom C. Campbell, of Cincinnati and New York, was employed. Colonel Campbell's methods of obtaining testimony and handling juries in criminal cases some years before had so incensed the Ohio public that they led to the famous Hamilton County riots in which the court-house was burned, the jail wrecked, and forty-five people killed; and Campbell, (who recently died in New York) had been obliged to leave the State. The bench was occupied by Judge James E. Cantrill, a Goebel Democrat and a friend of the dead leader. The processes of obtaining jurymen were under the management of Goebel office-holders. Powers's counsel obtained a change of venue and the trial was held at Georgetown, Scott County, a community almost as strongly Democratic as Frankfort, in the same judicial district.

From the first it was apparent that Powers was to be found guilty at any cost. A legal trial he might have; but a fair trial was beyond all hope. In the matter of Goebel's slaying there was no such thing as an impartial view in all the State. One might as well have expected a judicial attitude of mind from the factions in a feud.

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For, at that time, Kentucky was one great political feud. Had conditions been reversed, had the Republicans held the State Government, and had Powers been tried under Republican auspices, there would have been no better chance of justice. No Republican court would ever have convicted Caleb Powers, though his hands had been red with Goebel's blood. An equitable consideration of the case was impossible. Powers would be tried by his friends or by his enemies, according as the Republicans or Democrats were in power, and no one doubts that, innocent or guilty, he would be a free man to-day, pardoned by a Republican governor, had that party been successful at the last election.

With the selection of the jury, the case against Powers began to take form. While the law does not expressly prescribe it, the customary method of selecting a jury in Kentucky is by the jury-wheel. The names of householders qualified to act are put into the wheel, and the Clerk of the Court draws them by lot. For the trial of Powers, however, a special venire was summoned. Judge Cantrill visited the venire in its private room, apart from the court-room, and there, without having administered any oath, and without having informed the defendant or his counsel, none of whom was present, excused, on his own initiative, a number of those summoned. It is charged that nearly all of those excused were Republicans or anti-Goebel Democrats. As the venire, in its original aspect, was strongly representative of the party then in power, it naturally presented, after the Judge's weeding-out process, an almost homogeneous appearance of Goebel Democracy. When the panel was finally completed its political complexion was as follows: Democrats, 12; Republicans, 0. Thus the fate of Caleb Powers, Republican leader, at peril of his life for the murder of a Democratic governor, lay with a Democratic jury, presided over by a Democratic judge, in a strongly Democratic community.

Within the limits of a magazine article it is impossible to do more than indicate the lines of the heaped-up evidence adduced from scores of witnesses. The prosecution sought to prove these main issues:

That Powers had brought the "mountain army" to Frankfort for the purpose of killing Goebel.

That Powers had declared his willingness to kill Goebel with his own hand, if necessary.

That Powers had endeavored to hire men to kill Goebel.

That Powers had arranged (his "mountain army" and other plans failing) to leave his office open to the use of Henry Youtsey and Jim Howard, Governor Taylor's alleged hirelings, who were to do the murder together.

Four principal witnesses were called to prove these points. Of these, one afterward admitted that his testimony was procured by improper means; a second made an affidavit, later, to the effect that counsel for the prosecution had persuaded him to commit perjury, and had paid him for it; and the other two, indicted for the same crime as Powers, testified, as the defense put it, "with halters around their necks." These two witnesses are now at liberty. Up to the time of this writing neither has been put on trial, but the indictments are kept hanging over them, contrary to the usual procedure in Kentucky. One is or has been in the pay of Goebel's brother. Taking their evidence at its face value, it would prove only that Powers's "mountain army" was brought to Frankfort to shoot Goebel; that Powers had himself expressed his willingness to kill the Democratic leader; and that Powers had endeavored to hire men to do the murder. It must be remembered always that Goebel's death was in no way connected with the "mountain army" movement; and evidence was lacking on the vital point of connecting Caleb Powers with Jim Howard. In a non-political case no jury that ever sat in a box would have convicted on such evidence.

One bit of testimony deserves detailed mention as showing the license of the Commonwealth in the matter of witnesses. The prosecution desired to show definitely that the fatal shot was fired from the Secretary of State's office. George Franklin Weaver, an itinerant barber, testified that just after the shooting he saw a rifle barrel protruding from the window of Caleb Powers's office. The defense showed beyond contradiction that all that day Weaver was more than 130 miles distant from Frankfort. On complaint of counsel for the defense Weaver was arrested for perjury. He was arraigned by the Commonwealth, a mistrial resulted, and he was promptly

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released on bail. The amount of bail suggested by the Commonwealth is interesting; it was $200. This for the offense of perjury against a man on trial for his life. It can hardly be regarded as a discouragement to similar evidence. Weaver was promptly bailed out, continued his wanderings, and has not been heard of since.

The verdict was rendered after an hour's consideration — the jury fixing the penalty at life imprisonment. But the Court of Appeals found Judge Cantrill's sweeping instruction to the jury regarding the limits of conspiracy "not only erroneous, but highly prejudicial," and ordered a new trial. A further hint to the lower court was contained in the expressed regret of the Appellate Court that, in a case concerning which so much feeling existed, impartiality should not have been assured by the use of the jury-wheel.

Accordingly, on the second trial the jury-wheel was used, but with no helpful result to impartiality. The three jury commissioners appointed by the Court for the purpose of selecting the list of qualified jurymen "packed" the wheel. Out of 200 names drawn therefrom only five were those of Republicans. The number, based on the proportion of white Republicans (negroes do not serve on Kentucky juries) to Democrats, should have been about seventy. Not enough of this venire qualified to make up a jury. To fill the tally the commissioners went into the neighboring county of Bourbon, on a tour of summons. Three Democratic office-holders of that county, who knew the political affiliations of every family, escorted them. They passed by the houses of Republicans and anti-Goebel Democrats and selected those of Goebel Democrats. In one town the commissioners approached a group of three citizens of known standing. Their guides indicated two of the group. These two, Goebel Democrats, were summoned; the third man, a Republican, was left. On the proportion of white Republicans to Democrats in Bourbon County, there should have been more than fifty Republicans among the 167 summoned; there were only three. Not one of the few Republicans drawn was permitted to serve on the jury as finally selected. The panel was divided as follows: Goebel Democrats, 12; Republicans, 0. Again Judge Cantrill was on the bench. The defense had presented an affidavit protesting him on the ground of animus exhibited toward the prisoners in the first trial. He refused to vacate, and the second trial began under the same conditions as the first.

Much that was unimportant in the first trial was now dropped, but no new evidence of weight was introduced by the prosecution. Again testimony was brought out to show Powers's relations to the "mountain army"; that he had plotted to kill Goebel, and that he had used incendiary language; again the prosecution lacked any evidence connecting Powers with the alleged murderer, Howard. For the defense it was shown that in a meeting of Republicans before the shooting, a speaker had shown a handful of cartridges, saying "that the only way to end this contest is to explode a few of these over at the Capitol Hotel," and that Powers had threatened to leave the meeting if further sentiments of that sort were expressed. The defense also impugned the truthfulness of much of the prosecution's testimony. As before, there was no case against Powers on which, in a non-political trial, any properly constituted jury could have found him guilty. The verdict was the same as in the first trial, and again Powers was condemned to life imprisonment.

The defense now attacked Judge Cantrill, asking the Court of Appeals to remove him from the bench. Claim was made that during the first trial his bearing was consistently antagonistic to the prisoner. The fact of his personal and political friendship for Senator Goebel was brought out. It was charged that he made written suggestions to the Commonwealth's attorney during his argument, that he exhibited bias in his dealings with those summoned for jury duty, that he bitterly censured applause in the court for points made by the defense, but permitted it for points made by the prosecution, and that his attitude toward the counsel for Powers was hostile. Judge Cantrill's own utterances were cited. Just before the second trial he made a speech at Maysville, in support of his candidacy for the United States Senate. In this speech he claimed the gratitude of his party on the ground that if it were not for his decisions as Judge, on the Election bill, the Prison bill, *and other important matters*, there would not have been a Democrat holding office at

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the capital of the State. In the course of the trial a correspondent for a Democratic newspaper mentioned Judge Cantrill's angry demeanor toward the defense. His Honor administered a severe rebuke to the reporter, not on the ground that the report was prejudicial to the dignity of the court, but that it would hurt the Democratic party in the State! Concerning the opposition papers he had this to say in a charge to the Grand Jury:

"I do not hesitate to denounce their conduct . . . as the conduct of a lot of lecherous, libelous, cowardly curs that no community ought to tolerate."

In the same document he declared that "the officers of your court, including your judge, have been weekly and monthly threatened with assassination for their efforts to discharge their duties."

On this showing the Court of Appeals reversed the finding of the trial court, declaring that Judge Cantrill should have vacated the bench on presentation of the affidavit charging prejudice before the second trial. A third trial was ordered. Still Judge Cantrill refused to vacate. He defended his action on the ground that the Appellate Court had split on the question, only the Republican majority voting against him. A new Court of Appeals was soon to be elected. He would await their decision. This was, in substance, an appeal from an Appellate Court of Republican complexion to an Appellate Court of Democratic complexion. The new Court of Appeals, Democratic though it was, affirmed the judgment of its predecessor; and Judge Cantrill passes out of the case at this point.

But the injustice was done. He had committed his court to the conviction of Caleb Powers. After two convictions, certainly Powers must not be acquitted; Judge Robbins, also a Goebel Democrat, specially appointed by Governor Beckham from the far western part of the State, now assumed the bench. Shortly after, he was appointed a member of the Democratic State Central Committee, but declined to serve.

It was a foregone conclusion that the third jury would be made up substantially as were the first and second. Again the jury-wheel was packed; again, the list having been exhausted, a personally-conducted commission went into Bourbon County to fill the tally, and again the lists were made up almost entirely of the anti-Powers faction.

One man on the jury finally selected, is pointed to by the prosecution as a Republican. The other side declared that he was a Goebel admirer, and that Goebel's picture hung in his dining-room; a Republican in name only. But allowing him to select his own political appellation, the third jury stands: Goebel Democrats, 11; Republicans, 1.

After the reversal of the second conviction, the forces of the prosecution awoke to the fact that it was not enough merely to convict Powers on any haphazard evidence. They must advance some testimony that could reasonably be regarded as convincing. Otherwise, they suspected, the Court of Appeals would continue to find reversible error in the decisions of the lower courts. So they produced a new figure, a figure which, in this third trial, bulks so big that it may be regarded as the whole case of the prosecution: the figure of Henry Youtsey.

Youtsey had made a confession, after having been convicted and sentenced to the penitentiary for life; a confession full of the most damning evidence against Caleb Powers. He swore that Powers arranged that the killing of Goebel be done from his own office; that he left Frankfort on January 30th so that the coast should be clear for Youtsey and Jim Howard; that he arranged with his brother, John Powers, to hand over the office key to Youtsey; and that he had previously attempted to get others to kill Goebel for a money reward. Governor Taylor suffered not less than Powers by the testimony of this witness. It was Taylor, he swore, who wrote to Jim Howard, arranging for him to come down from Clay County; and he, Youtsey, took the letter in shorthand, copied it out, and sent it to Howard. It may be doubted whether even the forces of the prosecution believed that Governor Taylor would dictate to a stenographer a letter whose purport was murder. However, here was evidence on which any jury might convict the accused, if they believed the witness credible and the testimony properly obtained.

Who was Henry Youtsey? At the time of the killing he was a youth of twenty-three. Not a man of twenty-three, for he

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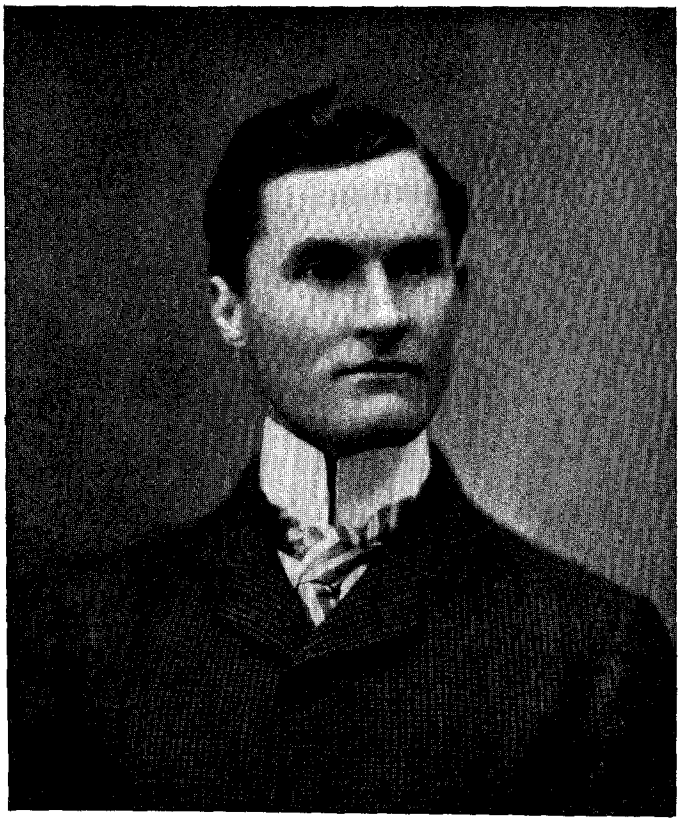

CALEB POWERS

Now in Louisville jail, condemned to death after three trials, all at the hands of his political enemies, for complicity in the murder of Senator William E. Goebel, more than four years ago. The alleged principal and the other alleged accomplices got off with life sentences or less.

was strangely immature. His chosen associates were sixteen-year-old boys, before whom he posed as a desperate character. His boast was that he was the best rifle-shot in his county. His favorite occupation was the reading of dime novels. A curious character; slight, insignificant, furtive; little known even to those with whom he came in daily official contact. Some flavor of degeneracy emanated from him; he was, if not a moral idiot, at least morally stunted. Through political influence he had received an appointment as stenographer to the State Auditor, his office being in the Executive Building, adjoining that of the Secretary of State, Caleb Powers. On his trial the evidence so directly implicated him that he might well have been convicted even before an unbiased jury, had such been obtained instead of the packed panel as in the Powers trial. Seeing that the case was going against him, Youtsey, with the instinct of a child caught in evil, shammed epileptic fits. Later, he smilingly admitted the deception. He admitted also that, on his first trial, he had perjured himself over and over again.

What follows was not admitted as evidence in the trial of Powers; but it has a most important bearing on the credibility of Youtsey's testimony. Youtsey was imprisoned in the Frankfort jail, conducted by Democratic office-holders. After his sentence, pressure was brought to bear to obtain a confession from him. But Youtsey didn't want to confess. Things were made unpleasant for him. He was put on bread and water for eight consecutive Sundays. No use. The ideals of the dime novel reader involved one good quality, a certain bravado courage. Youtsey's lips were sealed. He was threatened with floggings; but the man who could without a quiver endure the excruciating tests for epilepsy

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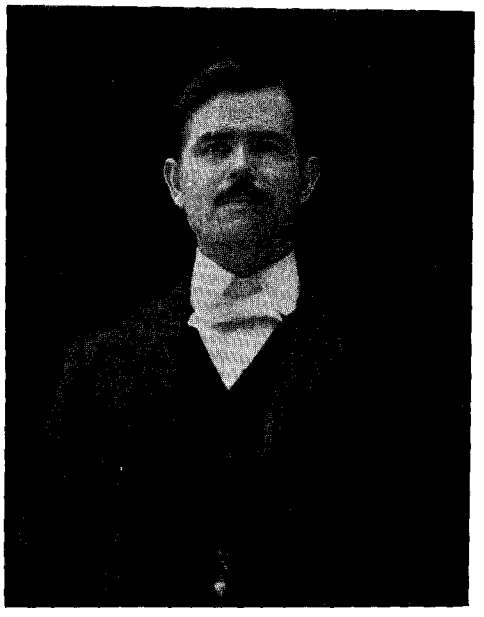
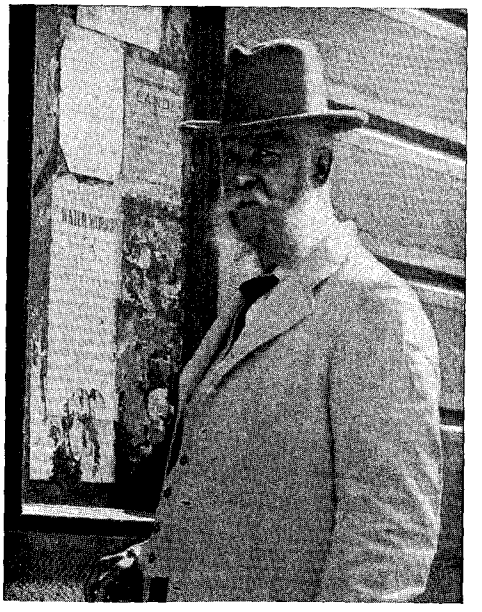


HENRY E. YOUTSEY

The man to whom the strongest evidence points as the actual murderer of Senator Goebel.



JUDGE JAMES E. CANTRILL

His attitude in the first two trials of Powers showed so much bias that the Court of Appeals compelled him to vacate the bench.

was not likely to shrink from a mere prison whipping. They put a ball and chain on his ankle. It was bothersome, but the prisoner soon learned to adjust himself to the burden with the least possible discomfort. Now came the well-remembered "torrid spell" when for a fortnight or more central Kentucky grilled in a temperature ranging from 95 to 110 degrees. During that terrific weather Youtsey was assigned to the boiler room. Hitherto the only prisoners who had been found able to endure summer work at the furnaces were the sturdiest of the negroes. Two of them were Youtsey's companions now; he was supposed to be "assisting" them.

Youtsey began to die. He was shifted to the machine shop, and put at a "danger point." He knew nothing of machinery. His condition was not very good; the assistant's post at the furnaces had affected it. It seemed to him that he was in peril from the whirring wheels and the flying belts. Once be became involved in the machinery and narrowly escaped. Finally the romance-inspired nerve broke, and he sent for the attorneys for the prosecution and made a confession. The confession did not meet the wishes of the prosecution; it was sent back; Youtsey burned it, and not until he made a second and more satisfactory statement was his condition mitigated. Then he was not only absolved from unpleasant and dangerous labor, but was put on the "excused" list, released of his striped clothes, sent to the hospital, and practically made free of the prison. It is no part of this article to prophesy; but there will be many in both parties who will be surprised if Youtsey is not pardoned at the close of the case against Powers. Powers was found guilty a third time. This time, not improbably upon the specific implication of Youtsey, the jury decided upon the death penalty. Sensationally, the feature of the case was a speech by the defendant, summing up his own case — a speech which, for masterly presentation of facts, has possibly never been equaled, under like conditions, in the history of our legal practice. In it he advanced no theory of the killing; he accused no other person; he threw the whole force of his logic upon the one point of his own innocence. It is a generally accepted belief, among those who have followed the evidence, that Youtsey himself did the murder. His own confession, coupled with the admitted facts that he procured a rifle and special bullets, and that he had frequently spoken of plans to kill Goebel, makes the case against him

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much more convincing than against any other of the accused.

Of the many men charged with complicity in the killing of William Goebel, Caleb Powers alone is under the death sentence. Jim Howard, charged with being the principal, is in jail with Powers, sentenced to life imprisonment and awaiting the decision of the Court of Appeals on his third trial. His conviction was accomplished substantially as was that of Powers. Youtsey is comfortably off in the penitentiary, borne up by the expectation of a pardon. The rest are either free of the law or out on bail, with little danger of the cases against them being seriously pressed.

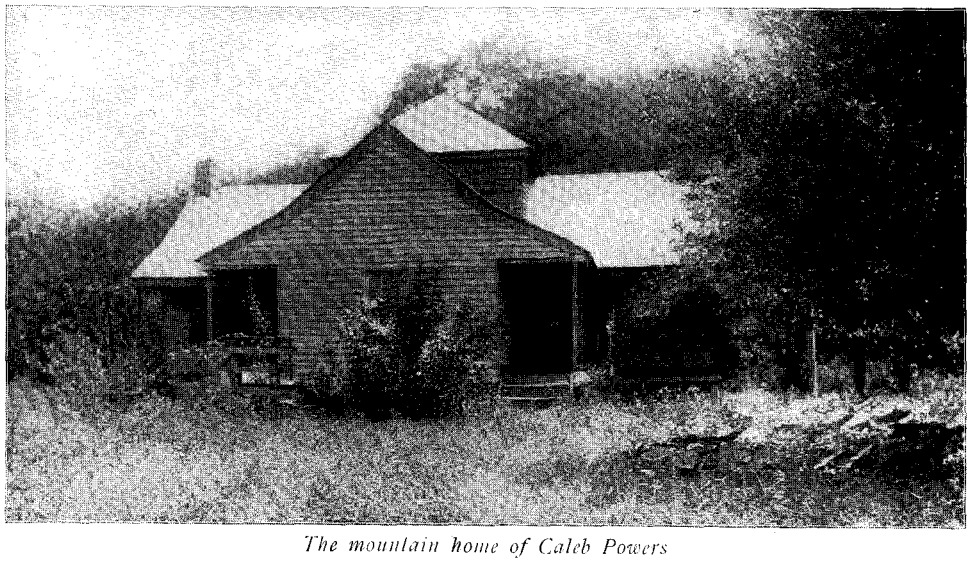
For four years Powers has lived behind bars. "I have almost forgotten what freedom is like," he said to the writer. He is kept in a dark, unhealthful, old-fashioned jail, which would have broken the health of most men. It is an indication of the young mountaineer's character that he has never let himself deteriorate, even in the small matter of personal neatness. By systematic exercise he has kept his physical condition. By steady self-control he has preserved himself from nervous breakdown. Among prisoners who are, for the most part, of the lowest, most ignorant, and most uncleanly type, he has kept his standards of self-respect in speech and appearance. Any one who has seen him there will be assured that, if Caleb Powers goes to the gallows, it will be not alone with courage, but with dignity.

The Powers case is not the case of Caleb Powers alone. It is, potentially, the case of every Kentuckian. Here is a man who, by the sheer influence of political control working through the courts of law, and corrupting their every process, has been three times convicted of a capital crime, on evidence which no unprejudiced court could possibly find sufficient.

It does not matter that Caleb Powers was a Republican tried by Democrats instead of a Democrat tried by Republicans. It does not matter that, if the political conditions had been reversed, Powers's own party would probably have been guilty of an equally gross injustice. Not the party, but the system, is at fault, and the system will remain after the victim has passed.

"There, but for the grace of God," said the old divine, watching the condemned man on his way to Tyburn, "goes John Newton." With Caleb Powers, but for the grace of God, goes any citizen of Kentucky.

Before this shall have been printed, the Court of Appeals will have ruled upon the third trial. Should the verdict be sustained, effort will be made at once to bring the case before the United States Supreme Court, on the ground that the pardon issued by William S. Taylor, the de facto Governor at that time, is legal and operative. If that fails, nothing but the intervention of a Democratic Governor stands between Caleb Powers and the gallows, between the State of Kentucky and the onus of a legal lynching.



The mountain home of Caleb Powers

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THE RIDDLE OF COUNTESS RUNA

BY

ANTHONY HOPE

ILLUSTRATED BY THOMAS FOGARTY

I

HAVING reduced the rest of the kingdom to obedience in three arduous campaigns, King Stanislas sat himself down with a great army before the strong place of Or, which was held against him by Runa, daughter of Count Theobald the Fierce. For Countess Runa said that, since her father had paid neither obedience nor tribute to the King's father for fifty years, neither would she pay obedience or tribute to the King, nor would she open the city gates to him save at her own time and by her own will. So the King came and enveloped the city on all sides so that none could pass in or out, and sent his heralds to Countess Runa, demanding surrender; in default of which he would storm the ramparts, sack the city, and lay the citadel level with the earth, in such sort that men should not remember the place where it had been.

Sitting on her high chair, beneath the painted window through which the sun struck athwart her fair hair, Runa heard the message.

"Tell the King — for a King he is, though no King of mine — that we are well armed and have knights of fame with us. Tell him that we are provisioned for more months than he shall reign years, and that we will tire him sooner than he can starve us."

She ceased speaking, and the principal herald, bowing low, asked: "Is that all the message?"

"No, there is more. Tell him that the daughter of Count Theobald the Fierce rules in the City of Or."

Bowing again, the principal herald asked: "Is that all the message?"

Runa sat silent for a moment. Then she said: "No, there is more. Tell the King that he must carry the citadel before he can pass the ramparts."

The principal herald frowned, then smiled, then said: "But with deference, Madame, how can that be? For the citadel is high on a rock, and the city lies round it below, and again round the city lie the ramparts. How, then, shall the King carry the citadel before ——?"

Runa raised her brows in weariness.

"Your speech is as long as your siege will be," she said. "You are a mouthpiece, Sir Herald, not an interpreter. Begone and say to the King what I have given you to say."

So the heralds returned to King Stanislas and gave him Runa's answer; but the King, in his wrath, listened more to the first part of it than to the last, and assaulted the ramparts fiercely for three days. But Runa's men rolled his men back with loss and in confusion, for they were in good heart because of the message Runa had sent. "For," they said, "our Countess has bidden the King perform what is impossible before she will yield the city; and as we trusted Theobald the father, so we trust the daughter Runa."

After his three assaults had failed, King Stanislas waited in quiet for a month, drawing his cordon yet more closely round the city. Then he sent again to the Countess, saying that he would spend the first half of his reign outside the walls of Or, provided he could spend the second half of it inside the same; but if she would yield now, she should have his favor and all her wealth; but if she would not yield, she must await starvation and sack and the extremity of his anger. To which

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summons she answered only: "Tell the King that he must carry the citadel before he can pass the ramparts." And she would say no more to the heralds.

"A plague on her!" cried Stanislas. "A plague on the woman and her insolent riddles! Of what appearance is she? I have never seen her."

"As the sun for beauty and the moon for dignity," said the principal herald, whose occupation naturally bred eloquence.

"Stuff!" said King Stanislas very crossly.

The herald bowed, but with an offended air.

"Does she seem sane?" asked Stanislas.

"Perfectly sane, Sire," answered the herald, "although, as Your Majesty deigns to intimate, the purport of her message is certainly not such as might reasonably be expected from a lady presumably endowed with ——"

"I am ready for the next audience," said King Stanislas to his Chamberlain.

And after the next audience he sat down and thought. But, as often happens with meaner men, he took nothing by it, except a pain in the head and a temper much the worse. So that he ordered three more assaults on the ramparts of the City of Or, which ended as the first three had; and then sent another summons to Countess Runa, to which she returned the same answer. And for the life of him, the King could see in that no meaning save that never in all his life should he pass the ramparts. "Only an army of birds could do what she says!" he declared peevishly. Indeed, he was so chagrined and shamed that he would then and there have raised the siege and returned to the capital, had it not been for the unfortunate circumstance that, on leaving it, he had publicly and solemnly vowed never to return, nor to show himself to his lieges there, unless and until he should be master of the City of Or. So there he was, unable to enter either city, and saddled with a great army to feed, winter coming on, and the entire situation, as his Chancellor observed, full of perplexity. On the top of all this, too, there were constant sounds and signs of merriment and plenty within the city, and the Countess's men, when they had eaten, took to flinging the bones of their meat to the besiegers outside — an action most insulting, however one might be pleased to regard it.

Meanwhile, Countess Runa sat among her ladies and knights, on her high chair under the emblazoned window, with the sun striking athwart her fair hair. Often she smiled; once or twice she sighed. Perhaps she was wondering what King Stanislas would do next — and when he would understand her message.

II

There was with King Stanislas's army a certain Friar, named Nicholas, a man who was pious, brave, and cheerful, although, in the judgment of some, more given to good-fellowship and conviviality than became his sacred profession. He was a shrewd fellow too, and had good wit; and for all

The Countess Runa

these qualities Stanislas held him in good will and allowed him some degree of familiarity. Friar Nicholas had heard the Countess Runa's message, which indeed had leaked through the army and been much discussed and canvassed round the camp-fires. The Friar had listened to all the talk, agreeing with every man in turn, nodding his head wisely, but holding his tongue closely. No man heard him utter any opinion whatever as to what Countess Runa meant — supposing her to mean anything save defiance pure and simple.

One night when the King sat in his tent, very moody, and sore out of heart with his undertaking, the flap of the tent was lifted and Friar Nicholas stood there.

"I did not summon you," said the King

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"David did not summon Nathan," said Nicholas. "But he came to him."

"What ewe-lamb is it I have taken?" Stanislas asked, smiling — for he was glad to be rid of his thoughts and have company. "Let Nathan drink with David," he added, pushing a flagon of wine towards Nicholas, who, on this invitation, let the flap of the tent fall behind him, and came in. "Is the ewe-lamb this one city which of all the realm holds out against me? Is Or the ewe-lamb of Countess Runa?"

"The City of Or is the ewe-lamb," said Nicholas, after he had drunk.

"But in the first place, O Prophet, I have not taken it — a curse on it! — and in the second, it is mine by right as by right it was my father's before me. Why then am I to be denounced by my holy Prophet?"

"I do not come to denounce you for having taken it, but to show you how to take it," answered Nicholas. And he stood there, in the center of the tent, wrapping his frock close around him. "O King," said he, "I will put a question to you."

The King leant back in his chair. "I will listen and answer," he said.

"Where is the citadel of an army, O King?" asked Nicholas.

"An army has no citadel," answered the King. "A city has a citadel, a fortress of stone or of brick, set in the middle of it and on high. But an army lies in tents or on the bare ground, moving hither and thither. An army has no citadel, O Prophet! Are you answered?"

"Where is the citadel of an army, O King?" asked Nicholas again.

"An army has no citadel," replied the King. "A city that is made of brick and of stone has a citadel. But an army is not of brick and stone, but is made and composed only of men, of their flesh and bones, their sinews and muscles, their brains and hearts. An army has no citadel, O Prophet! Are you answered?"

"Where is the citadel of an army, O King?" asked Nicholas for the third time.

Then, seeing that he had a meaning, the King took thought: for many minutes he sat in meditation, while Nicholas stood in the center of the tent, never moving, with his eyes set on the King's face.

At last the King answered.

"An army has a citadel," he said. "The citadel of an army is the stout heart of him who leads it. His heart is its citadel, O Prophet! Are you answered?"

"You have spoken it. I am answered, O King," said Nicholas, and he turned and went out from the King's tent.

But the King sprang to his feet with an eager cry. "It is not otherwise with a city!" he cried. "And before I can pass the ramparts of Or, I must carry the citadel!"

III

Countess Runa sat in her high chair, under the emblazoned window of the great hall, with her ladies and knights about her, and one of her officers craved leave to bring a prisoner into her presence. Leave given, the officer presented his charge — a tall and comely young man, standing between two guards, yet bearing himself proudly and with a free man's carriage of his head. His hair was dark, his eyes were blue, his shoulders broad; he was long in the leg and lean in the flank. Runa suffered her eyes to glance at him in approval.

"Where did you find him?" she asked of the officer.

"He came late last night to the southern gate," the officer answered, "and begged asylum from the anger of King Stanislas."

"He's a deserter, then?" she asked, frowning a little.

"He has told us nothing. He would tell his story, he said, to Your Highness only."

"Let him speak," she said, taking a peacock fan from one of her ladies and half hiding her face behind it.

"Speak, prisoner," said the officer.

"If I am a prisoner, it is by my own will," said the stranger. "But I was in such straits that my will had no alternative save to cause me to throw myself on the mercy of Your Highness. Yet I am no traitor, and wish naught but good to my lord, King Stanislas."

"Then you had best wish that he shall return to his own city and leave mine alone," said Runa.

The knights smiled and the ladies tittered. The stranger took no heed of these things, nor, as it seemed, of Her Highness's remark.

"I was high in the King's confidence," he said. "He deemed me a wise man

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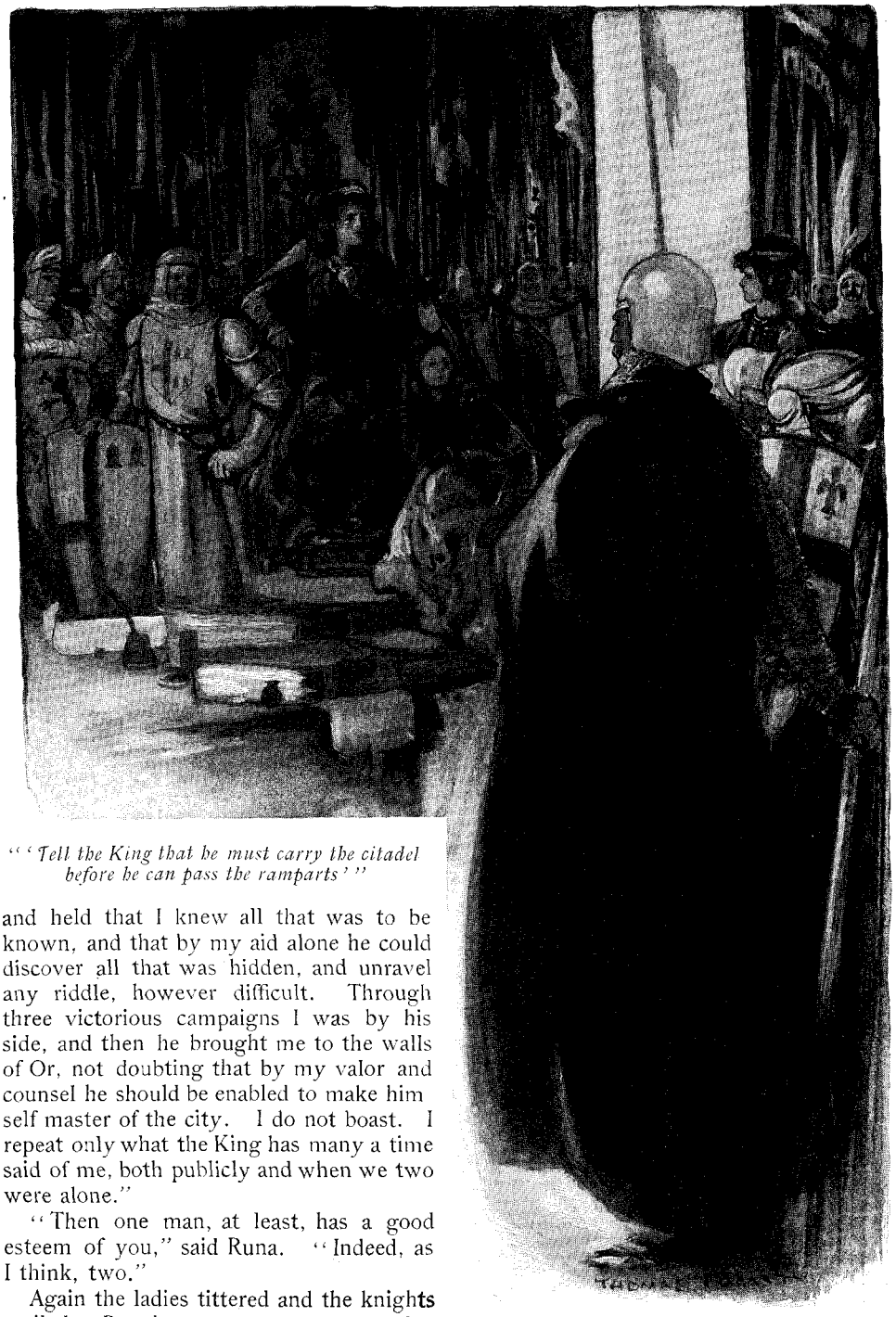

"'Tell the King that he must carry the citadel before he can pass the ramparts'"

and held that I knew all that was to be known, and that by my aid alone he could discover all that was hidden, and unravel any riddle, however difficult. Through three victorious campaigns I was by his side, and then he brought me to the walls of Or, not doubting that by my valor and counsel he should be enabled to make him self master of the city. I do not boast. I repeat only what the King has many a time said of me, both publicly and when we two were alone."

"Then one man, at least, has a good esteem of you," said Runa. "Indeed, as I think, two."

Again the ladies tittered and the knights smiled. But the stranger was unmoved.

"Then," he went on in a smooth, equable voice, whose rich tones struck pleasantly on their ears and made the ladies sorry for their mocking, "came the day, fatal to me, when Your Highness was pleased to send His Majesty a message. For when the King asked me the meaning of your riddle — asked how a man could carry the citadel before he passed the ramparts — I told him to take no heed of it, for

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it was an idle vaunt. And he believed me and assaulted the ramparts three times in vain. And in vain brave men died. Again came your message, and when the King asked me the meaning of it, I said it was insolent defiance. And he believed me and assaulted the ramparts three times in vain. And in vain brave men died. Then came the message a third time, and the King demanded of me the meaning of it. But I did not know the meaning, and, lest more men should die, I confessed to him that I could not read the riddle."

"You learnt wisdom late and at a cost," said Runa, setting her eyes on him over the top of the peacock fan.

"When I confessed that, he called me a blockhead and, with many hard words, told me plainly that all my credit stood on my reading him that riddle and reading it, the third time, right, and that, if I could not read it, I could never see home again nor my own people, but that my life must end here outside the walls of the city, and end in disgrace and defeat. So the King said to me in his wrath, and in fear of him and of the death he threatened, I stole by night from his camp and delivered myself to the officer of Your Highness's watch at the southern gate of the city."

"What do you want of me?" asked Runa.

"Either the answer to the riddle, that I may carry it back to the King forthwith, and have his favor again ——"

"And failing that?" said Runa, smiling.

"Leave to abide here for a while, in the hope that by my own wit I may discover the meaning."

The knights laughed and murmured scornfully, but the ladies, on whom the stranger's appearance had made no small impression, sighed sadly as though it were lamentable to hear a personable brave man ask such foolish things. But Runa sank her head in thought. When she raised her eyes, she met those of the stranger fixed full on her. They gleamed blue and keen. A faint flush rose on Runa's cheek — or was it a red light from the painted window over her head?

"Seven days and seven nights you may abide here," she said, "but on condition that at the end of that time my officers deliver you to your King again. If by then you have read the riddle, it will be good for the King and for you. But if you have not read it, let it be evil for you as for him — evil unto death. How say you?"

"I accept the condition, and I will abide," said the stranger.

Runa signed that he should be led forth. "And leave me alone, all of you," she said.

IV

Seven days and seven nights, then, the stranger abode in the city. Every day he held speech with Runa, both in the great hall with the ladies and the knights, and privately. Much he told her concerning the kingdom and the King, and she showed him all the wealth and power of her city. But when she bade him speak of himself, he would answer, "I am nothing without the King," and would say no more of himself, so that she was full of wonder about him and pondered more and more as to who he was and whence he came. And meanwhile the King's army lay idle in its tents and made no assault on the ramparts.

At last, on the third day, she said to him: "Tell me why the King, your master, leaves all his great kingdom and makes war on my poor city?"

"The King," he answered, "makes war that peace may come, and union, and power. In three years he has brought peace to all the kingdom. This city alone is left, a foe set among friends, disobedient among the obedient, a weakness amidst that which is strong. Without the kingdom the city is nothing, and without the city the kingdom is feeble."

Runa knit her brows and heard him in silence. But after a while she said:

"Had the King sent an embassy to me with these words, it may be that I should have listened. But he sent me only a summons to surrender."

The next day she sent for him again, and said: "If I give up my city and submit myself to the King, what am I then — I who was Runa of Or?"

"You will be high in the King's counsel, and in his love," he answered.

"I do not covet the King's love," said Runa, knitting her brows again.

"You do not know what it is, Madame," he said softly.

On the fifth day she sent for him again, and privately, and said to him:

"If I give up my city and submit myself to the King, and there is peace in the kingdom, such as there has not been since

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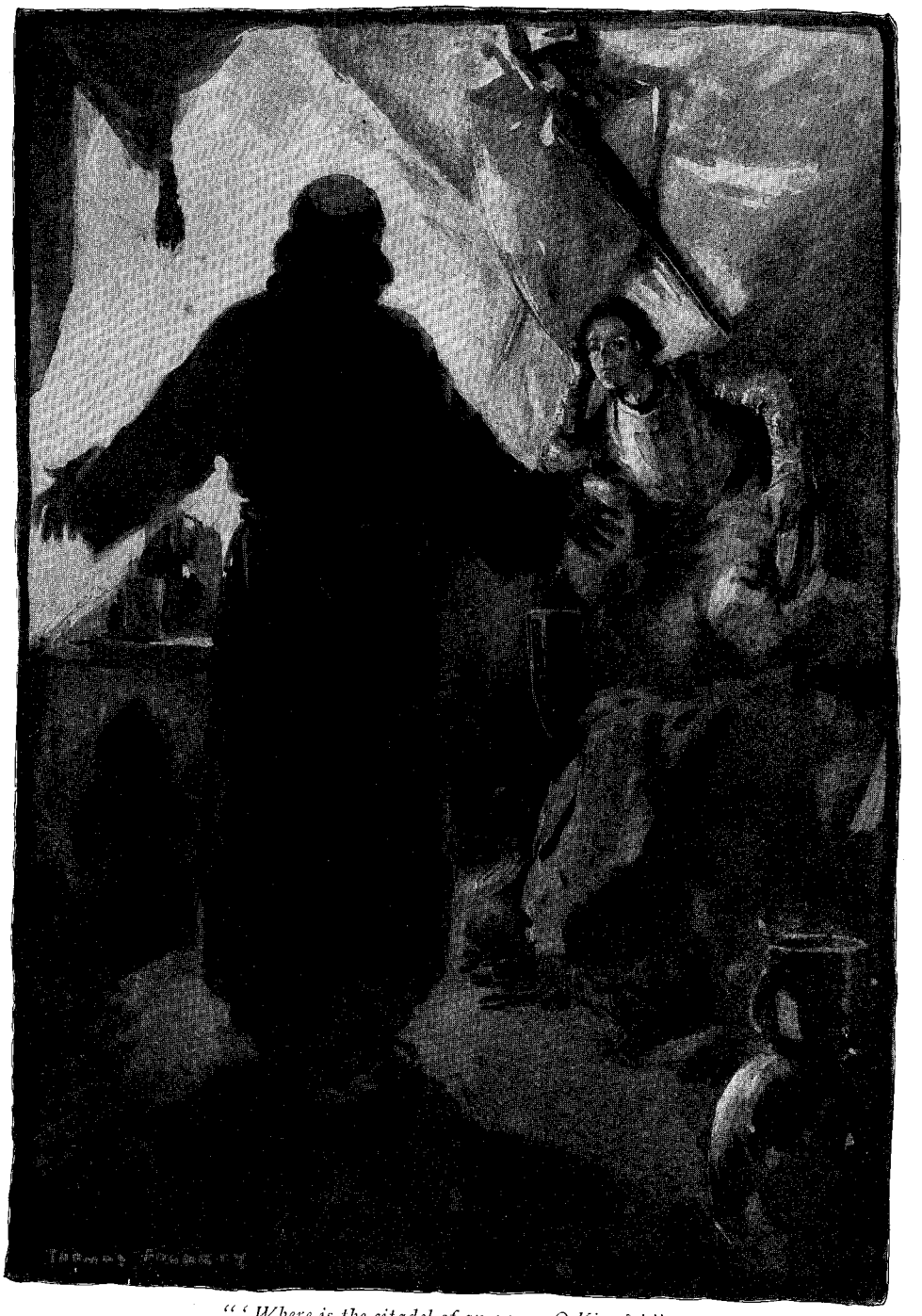

"'Where is the citadel of an army, O King?'"

the day my father, Count Theobald, ruled in Or, what will the King do?"

"He will enrich the kingdom and make it fair, and secure it against all foes."

"And what will you do?" she asked.

"I shall be by the King's side," he answered, "if by chance I can give him good counsel."

"And he will reward you with high honor?"

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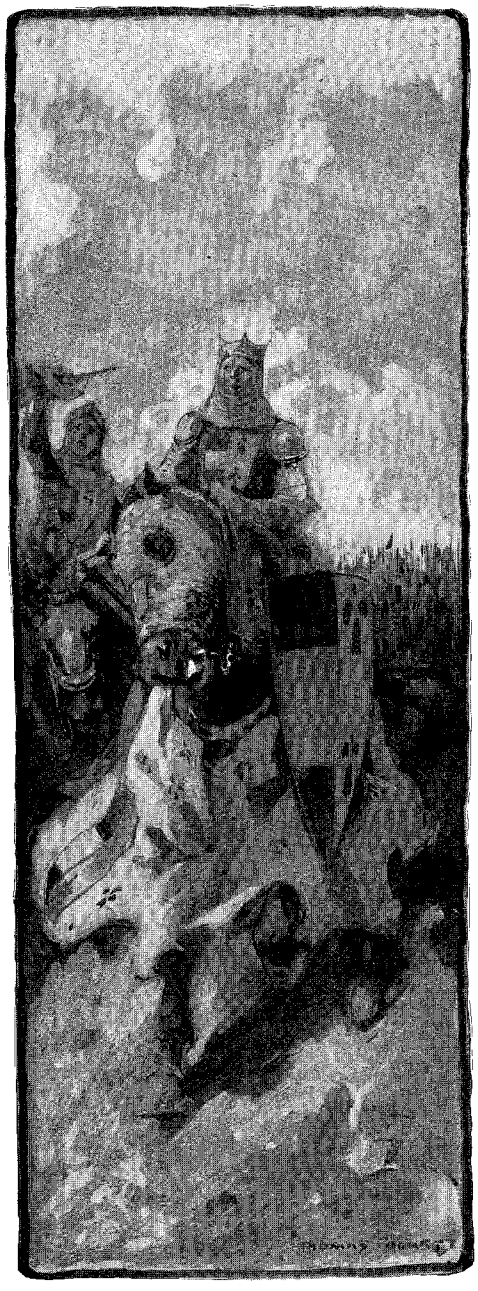

"the King rode forth"

"All honor is at once mine if I read the riddle," he replied.

"You have not read it?"

"I seek to read it in your eyes," he answered boldly, and Runa turned her glance away from him, lest he should read the riddle there.

On the sixth day, in the evening, she sent for him again in secret, unknown to any of the knights or ladies. The great hall, in which she sat alone, was dimly lighted; only her face, her fair hair, and her rich robe of white gleamed from the gloom. He came and stood before her.

"To-morrow, at sunrise," she said, "I must deliver you to the King, your master, according to our agreement. What gift do you carry in your hand to turn his wrath into favor?"

"If I do not bear in my hand the keys of the citadel, I bear nothing," he answered.

There fell a long silence between them, and the great hall was marvelously still. The stranger drew very near to Countess Runa, and stood by the arm of her high chair.

"Madame, farewell," he said.

She looked up at him and murmured softly, "Farewell."

"Yet we shall meet again."

"When?" she asked, with lips just parted and eyes that strained to see his face.

"In two days, outside the ramparts."

"Outside the ramparts?"

"Yes." He knelt before her and kissed her hand. "The citadel of the city is the heart of its mistress," he said.

She rose suddenly to her feet, and would have spoken, but he raised his hand to impose silence on her. With one long look he turned away and left her alone, standing under the emblazoned window, through which one ray of moonlight caught her fair hair and illumined it.

She stood with clasped hands, her eyes still set on the door by which he had gone out.

"My heart knows its lord," she whispered. "I have been speaking with my King."

V

On the morrow, in the afternoon, King Stanislas, being returned from a journey on which affairs of state had called him, and having assumed again the command of his army, led it forth in battle array and took up his position in the plain before the southern gate, not far from the ramparts of the city.

"We are going to assault the ramparts again," said an old soldier to Friar Nicholas, who was there to see what passed and to exercise his sacred functions in case need arose.

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"Nay, I think the King is going to carry the citadel," answered the Friar with a laugh. All of them laughed, thinking he jested at the King's expense.

As the clock struck four, the King rode forth, magnificently appointed, and bestriding a black war-horse of great strength and spirit. When he was two hundred yards from the walls he halted all his army and rode forward alone, save for the herald by his side. Coming close under the ramparts, which were thronged with Countess Runa's knights and men-at-arms, to say nothing of those who were ready to pour down stones, and molten pitch, and heavy bars of iron on the assaulters, he bade the herald cry that King Stanislas would speak with Her Highness the Countess Runa.

Much stir rose on the ramparts at this message, but the King sat calm and motionless on his great black horse. So passed half an hour or so. Then the great gate rolled open, and Runa rode forth, in a robe of scarlet, seated on a white palfrey, and with all her knights and ladies round about her.

"This is no assault on the ramparts," said the old soldier to Friar Nicholas, grumbling because there was danger that he should be balked of a fight.

"I think you will soon pass them, though," said Nicholas.

When the King saw Countess Runa, he touched his horse with the spur and rode up to her where she awaited his coming. When she saw him, her eyes brightened to a new brilliance. Yet she showed no wonder.

"My heart knew," she said, when her ladies and her knights marveled.

King Stanislas saluted her.

"Whither, my King?" she asked.

He leant down, put his arm about her waist, and lifted her from her palfrey. A great shout went up from the army in the plain and from the defenders on the wall. The King set her in front of him on his great horse.

"I carry the citadel," he said. "And now I will pass the ramparts," and they two rode together into the city amidst mighty rejoicings.

VI

To which story there are a number of morals quite out of proportion to its size.

This for Kings and Rulers — That they should state their objects openly — provided they wish to have them known.

This for Children — That what their fathers did for fifty years, it may be wise for them to cease from doing immediately — especially if they wish to make good marriages.

This for Men — That though it be impossible that a woman should mean what she says, yet she means something by what she says — at any rate if she says it three times.

This for Women — That though the ramparts protect the citadel, the citadel may often betray the ramparts.

And this for Everybody — That he who devotes a good intelligence to enlightening others is like unto a man who cooks his neighbor's dinner without being invited to table. For when once the citadel was carried, the ramparts passed, and the lovers happy, neither King, nor Countess, nor anybody else gave another thought to poor Friar Nicholas!

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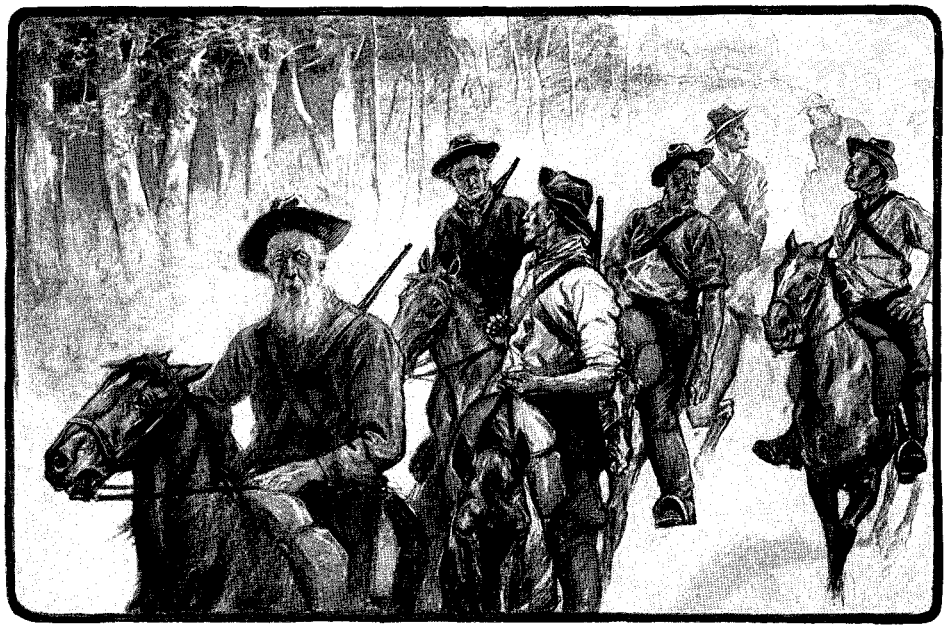

THE COWARD

BY

EDWARD CUMMINGS

ILLUSTRATED BY GEORGE GIBB

LATE upon that afternoon in 1862 a column of mounted infantry turned out of a very dusty turnpike to bivouac in a meadow by a grassy creek. The place was near the border-line of Tennessee.

It had been a long and stinging day. The men were saddle-galled and weary and hot; the dust was sweated deep into the skin.

As they lolled in their saddles while the horses drank along the stream it was plain that here were game children of the earth. What faces down the stalwart line! — calm, phlegmatic faces; bearded, solemn faces, stroked by hairy hands; grim, unshaven, bilious faces; fiery-red and freckled faces; sharp, humorous, peaked faces; refined and high-bred faces; and the pallid faces, too, of those who set the will to overcome the sickness of the flesh — Confederate faces — American faces!

Hurriedly the horses were unsaddled, corralled and fed. By the time the sun had left the sycamores most of the troopers were snoring in the grass.

A few stood about the bivouac fires, roasting fresh-slaughtered beef on sticks. Others stretched with their pipes in the grass; they found the taste of rest and tobacco too sweet a thing to forego at once in slumber. There was one among them, Peter Dorgan, a white-haired, callow lad, with sleepy eyes, who went down to the branch to bathe his feet and think things over. In all that temerarious troop he was the only man disdained of his comrades. There was but one person in the world, he thought, who ever did believe him to be other than the paltry and amorphous thing he really was. And that was Lorena Bell.

He found himself among rough-riding, hard-fighting men who ridiculed him incessantly. His voice was changing, too, and

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went from basso to falsetto, all in the same breath. They called him the Gosling.

He found that being a cavalryman meant simply hard work by night and by day, and hunger and deadly peril. Fortification against these was a matter neglected in his education and left out of his philosophy. He had no stomach for the business.

Speaking in a cavalry sense, he had one virtue. He *could* shoot. Even Old Thousand-Yards admitted this. He had spent many of his days in shooting squirrels, and he proved his skill before the whole brigade. Further, he had brought with him into the army his own mare, pedigreed, most fleet and staunch; and by reason of these qualifications he had been admitted into the detachment which went on the renowned September raid.

This raid was a surprising piece of business. The Brigadier picked most of his raiders from the old regiment, taking a few weeks' rations in the saddle, trusting to Providence and the Kentucky corn-fields for the rest. They were very humorous and horsey, and the genius of swashbuckler deviltry was in them all — all but Peter Dorgan.

Peter was afraid. The whole brigade laughed at him, and Dr. Danbury filliped blood in his face when dressing wounds to hear him plead, "Oh, don't!"

Danbury was a Major, and the chief surgeon of the brigade. His great object in life was to amuse himself, a task to which he addressed himself with considerable energy. He turned his attention to Peter Dorgan, who had been detailed as his orderly, and badgering him became his avocation throughout most of the raid.

The raid itself was almost over. The partizans had done all they set out to do and more besides, and, with such spoils as they could carry, were galloping back on the thousand mile ride, with much valuable information.

The day was gone. It was while Peter was chewing the unsavory cud of retrospection, with his feet in the water, that Captain Lockspur, the Brigade Adjutant, came into the radius of the headquarters mess-fire, filled with the satisfaction of the teller of bad news.

"I've been on a scout," he announced. "I found that Drawbridge took the Ragweed road for the Cumberland River this morning with over a thousand web-feet."

"Where does the Ragweed road cross the Cumberland?" asked Colonel Upshaw.

"At the Valley Ford."

"That's where *this* road crosses too, ain't it?"

Lockspur nodded. "I reckon Drawbridge aims to beat us there."

Upshaw filled his pipe and smoked reflectively. "Who was with you?" he asked.

"Old Thousand-Yards. There wasn't anybody else, was there, 'Cajah'?"

"Jist me and you, Cap," said the gigantic scout. "But hold now — I believe we took along some kind of a towhead to hold the hosses, didn't we? Sogrum, or some sich name — I disricollect."

"Oh, yes — the Gosling!" said Lockspur.

It had grown very dark down by the creek. There was an odor of peppermint, and a certain cool taste in the air distinguished the night from prime summer. How loud sang the katydids! They reminded Peter of talking to Lorena under the oaks.

He felt he could never see her again now. She would surely hear tales of his cowardice. And that he was a coward was proved. He had been told so frequently, with curses. Under every fire he had blanched, shirked, skulked; he would have fled, had that been possible. He had recognized himself as a coward. He had tried to reconcile himself with such a defect in his character, and he had to some extent succeeded. For he had to live. The odd thing was, life seemed indispensable and desirable, even if it were not sweet! He overheard them talking about him at headquarters.

"You oughtn't to abuse that kid so much, Major," said Colonel Upshaw. "I'd not be so hard on him. He's but a boy. Give a dog a bad name and kill him, you know."

The Major, smoking, conceived what he regarded as a bright idea. "Of course you know, Dick Upshaw," he said, "I am just carrying on about Peter." He was well aware that Peter had not gone far in the darkness, and would certainly hear. "You've seen Peter turn pale during action, haven't you? Well, that means he is fixing to kill. It's *moral* courage he has — the really superior kind of courage. If you or Jack Lockspur had a high-strung, nervous organization like our friend Peter you'd run

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like sheep. Peter? Why, Peter's as bold a man as ever bit a cartridge!"

Peter took this effort at a joke quite seriously, as Danbury knew he would. He did not hear the snickering. The words thrilled him like sweet music. *He* was the man of whom these things were said — he — Peter Dorgan! The crude irony was lost on him. The surgeon's poor joke had all the surprise and thrill of discovered treasure. He saw the moon rise: how beautiful and sweet the night was! He returned to the bivouac singing softly:

"A hundred months have passed, Lorena,
Since last I held that hand in mine,
And felt that pulse beat fast, Lorena,
Though mine beat faster far than thine!
A hundred months — 'twas flowery May
When up the hilly slope we climbed
To watch the dying of the day,
And hear the distant church bells chimed,
To watch ——"

"Stop that infernal song, will you?" growled a tired dragoon. It made Confederates homesick.

"Lockspur," said Upshaw, "did you tell *him* about that outfit?"

"No, dash it, I didn't," said Lockspur. He had his boots off. "And, by gad, I'm not going to. He told me to stay with the column to-day or he'd put me under arrest as sure as my name's Jack! — Here, you!" he added, as his eye fell on Dorgan, "look up the General and tell him what that galoot said out yonder on the Ragweed road. Don't let on I was with you."

Peter found General Marmaduke in his gray flannel shirt, making a supper of meat and sweet potatoes, and consulting between bites with one of the Kentucky soldiers about the roads.

"Well, Peter?"

He listened with some surprise as Peter stood at attention and "had the honor" to report a piece of valuable information. He had long ago given up the hope of making a soldier of such mawkish stuff as Peter. But now, as the boy came up out of the night with tidings which gravely concerned the safety of the flying column, he studied him with sudden interest. He asked him many questions, verified the answers by reference to the guide, and dismissed the orderly with warm words of praise.

"Tell your Colonel I would like to see him," he added.

"to shoot as many as he could"

When Colonel Dick Upshaw came, the two decided that the command must move in a few hours, for the Valley Ford was their one practicable point of escape from a country in which the enemy was converging in overwhelming numbers. It would go hard to find it blocked by a strong force.

Peter's sleep was broken and brief. He dreamed of Lorena Bell. He dreamed she came and took his two hands and printed a light kiss on his forehead — she, the unattainable Lorena! — and said she had not understood him until now, and that all the things they said about him were lies, and that he was the bravest of the brave. And then he dreamed of riding with a great message to the General between ridges whose summits crackled with musketry, and his horse would not go fast, for his spurs would not bite.

And then the keen bugles blew.

Peter opened his eyes to see the men springing to their feet and rolling their blankets.

To him, as usual, the reveille brought a sinking of the heart. Ah, he was revolted

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against it all — the evil-smelling blankets, the eternal sweat of horses, the hurrying and hardship, and the menace of death! He wished he could let this bloody band of rangers leave him behind. He recalled with anguish that there was to be, perhaps, an important fight that day.

Day? Was it day? There was no morning wind, no gray light of dawn. The moon was shining cold and full toward the zenith.

Suddenly and swiftly, like hawks from a wood, the five hundred horsemen swept out along the road in the September moonlight.

Oh, that ride in the valleys and mountains! The Coward was wrought upon by the supersubtile beauty of the night, buoyed and elated by the memory of what the Major said and the kindness of the Colonel. . . . The road lay within the gaps in the ridges. Sometimes the column was passing through deep ravines, where the air was damp and cool, smelling of sweet pawpaw, and the horses splashed through shallow spring branches; and again the cavalcade was mounting by the narrow road over some pine-scented hill whose summit was warm and dry.

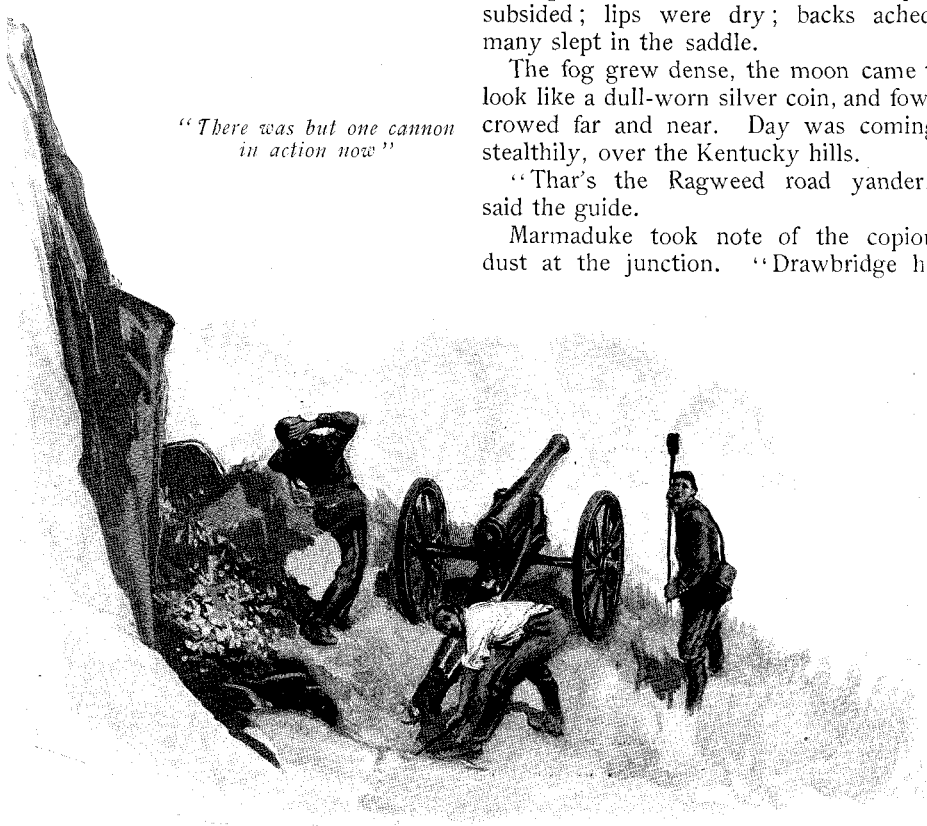
Marmaduke turned and looked with a pleased eye upon the stalwart dragoons winding upon the road in the brilliant moonlight; he heard the clack of two thousand hoofs; he saw the shine on guns and scabbards and buckles, with here and there the red spark of cigar or pipe; he heard the strain and creak of leather, the snort and whinny of the horses, and the rough jocular talk: he loved the sight and sound of it all. He was a great, bearded, nonchalant figure of a gentleman, seldom wearing a coat; he was still under thirty, but he was known by the whole command as the Old Man.

All about his horsemen, as they rode through the long night, ranged the silent, misty ridges, and toward morning a cold river fog rolled to meet them in the valley. As the troopers wound past, the katydids clung silent to the boughs, resuming their nocturnal concert only when the songs, whoops, and laughter had died away. As the night wore on the turbulence of spirit subsided; lips were dry; backs ached; many slept in the saddle.

The fog grew dense, the moon came to look like a dull-worn silver coin, and fowls crowed far and near. Day was coming, stealthily, over the Kentucky hills.

"Thar's the Ragweed road yander," said the guide.

Marmaduke took note of the copious dust at the junction. "Drawbridge has



"There was but one cannon in action now"

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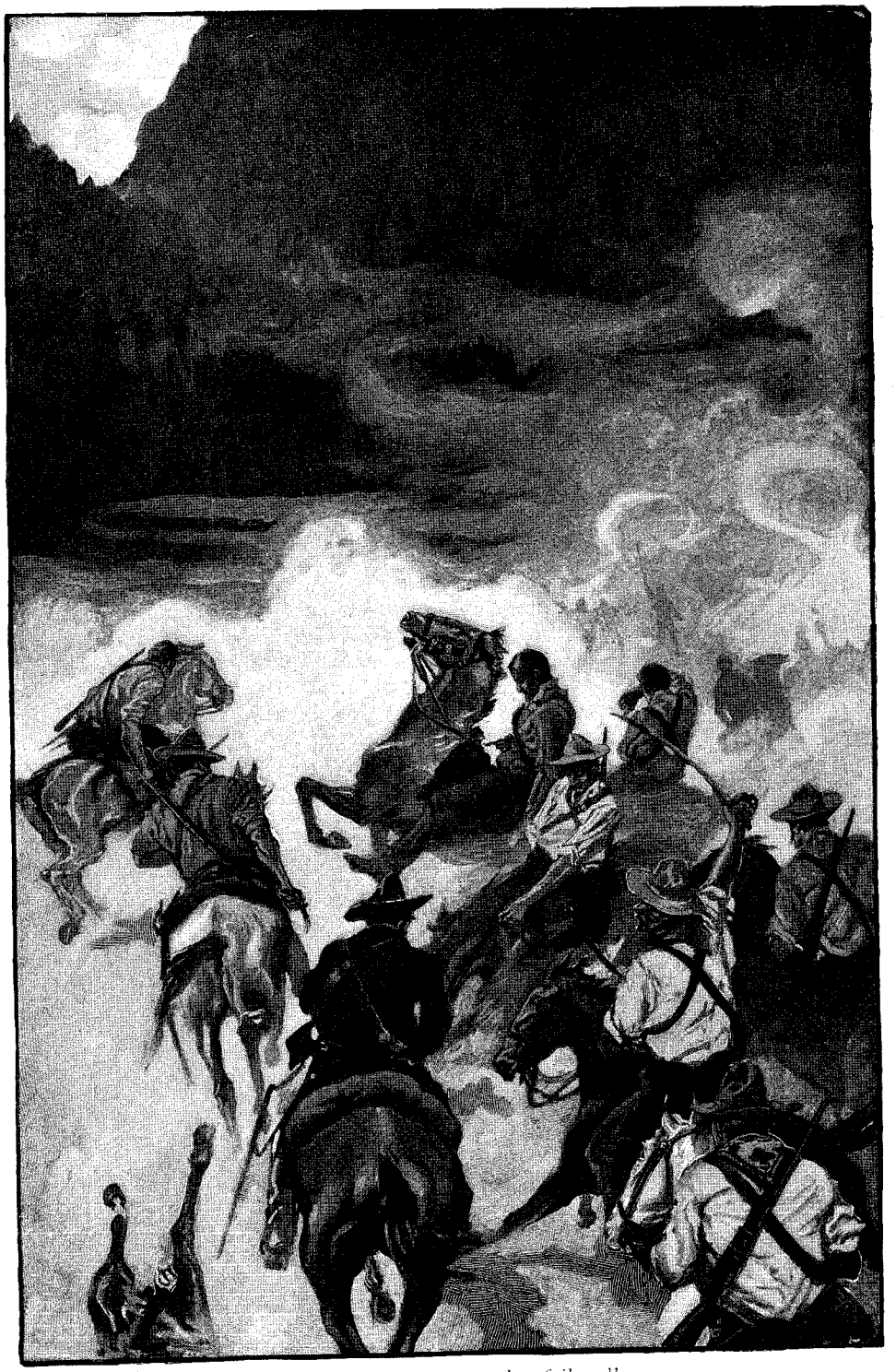

"The attack had proved a failure"

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gone in," said he, and he halted the column. It was now indubitable morning.

From the mist ahead came the brattle of carbines. A bright fire of reanimation ran down the line of haggard faces. Out of the mist, too, came Peter Dorgan, galloping wildly, his face pale as paper. Men and officers fell to laughing. The poor Coward stuck upon his horse, cold and sick. He had gone forward with a part of the staff to join the advance, which had fallen afoul of the enemy's pickets, and when a bullet cried in his ear he had but one thought, which was to flee. His fright sat upon him like an incubus, so that when the General asked sharply, "What was that firing?" he could not even stammer a syllable in reply.

Lockspur came and told of the stampede. "Drawbridge is over there, about three miles off, covering the gap in the ridge," said he. "It's the only way, too."

"We are going through it," said Marmaduke.

The morning-glories were half drowned with dew, and the sun came up in the fog, void of radiance. Shortly the mists lifted, and shadows stretched from tree to tree. A few miles away two long bluffs rose upon the plain, holding cool purple shadows against their breasts. Below them, blocking the way to the cleft between, stood the waiting line of the enemy.

Marmaduke raked them with his glasses. "I wonder they haven't occupied the heights," he said. There was a thicket to clear of skirmishers, and then the dragoons were pressing their tired horses through corn-fields, where the hungry beasts snatched at ripening ears.

The attack was made vehemently, suddenly. To Peter it seemed as if great gongs were ringing, for the men were firing from the saddle. He did not know they were so near the enemy until a white volley crashed from where he stood at the edge of the corn-fields, and horses screamed. Then all in a moment, before the enemy could reload, the hungry squadrons struck him, wielding revolvers, sabers, and the butts of their guns. It seemed a piece of magic, an instant's work. The infantry fell back among the trees and rocks.

The way to the ford was clear!

The cavalry did not pause, but swept into the pass, carrying their wounded with them.

"We haven't time to whip these fellows," said Marmaduke. "The thing to do is to get the command over the river. Go on with your men, Colonel Upshaw, while I watch the rear."

But there was a crush of horses down in the pass, and a waving of hands. The column pressed against the advance, and halted.

"I went to the river
And I couldn't git across!"

piped a voice, and a hundred others bawled, "River's up!"

Who could have dreamed of unseasonable mountain rains? Angry and yellow, mottled with speeding drift, snarling at the knees of the cliffs, and with a spiteful eddy swirling high in the mouth of the gorge whose trees had concealed it, the insuperable stream spread before them, a flying plain of bellowing waters!

The raiders found themselves in a triangular area, the base of which was the impassable river, and the sides of which were the abrupt shoulders of the bluffs; these rose sheer from the water and extended away from the river, almost meeting at the apex of the triangle where the road entered. This pass was suddenly occupied by the enemy.

Old Thousand-Yards sat sideways in his saddle and lighted his pipe. "'Bleedged to fight back now, I reckon."

"Yes, we swallowed that bait beautifully," said Lockspur.

"Well, hit hain't the bait we swallered," said the giant; "hit's this yer sniv'lin' *catbird* that turns *my* stomich!" and he shook his rough fist at Peter Dorgan. The fist was covered with blood.

"Many a brave man abhors the thought of a bloody death," said Dr. Danbury solemnly, recalling his joke. They were the last words Peter ever heard him say. Then the General came and took a squadron to reopen the neck of the pass.

As the cavalry went back up against the infantry a cloud of rattling white flashes enveloped their opponents, and a cross fire poured down from the steep timber. Some of the advancing troopers pushed on, others rolled in the sedge, and Peter saw the infantry fire running from flank to flank.

And then a sudden clap of thunder came from the heights behind, and reëchoed from bluff to bluff; and then there was another.

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The shrapnel ranged diagonally; there were oaths and squealings; every head was turned.

"Why, Lockspur, they have a battery up there!" said Marmaduke.

Peter saw him directing the charge, his face afire; he heard the guns boom again; he saw Colonel Upshaw's big gray mare sink to her belly; he saw the regimental colors fall. Colonel Upshaw picked them up. Then a shell burst. Peter felt his own mare stumbling and falling; a laurel bough struck his face, and for a time he knew no more.

When he came to himself he was in a gully, with boughs above him.

The attack had proved a failure. There were a few scattering shots, like the dripping of the woods after the rain. Crippled horses struggled to rise. Men were slipping and crawling in the sedge.

The boy pulled himself up, and, as he did so, his eyes fell upon a large object lying close beside him.

It was the body of Dr. Danbury, already waxen of face, with a bullet through his heart.

Peter, benumbed and white, stole away from the thing, and crawled up in the dense laurel. He fingered presently a narrow ledge of dirt and stones, and he pulled himself upon it. It was a sheep-path, and led in a winding way under the laced boughs, up the face of the bluff. He had not crawled above a dozen yards when he came upon Colonel Upshaw. The Colonel was trying to "tie-off" his arm with a piece of cord from the colors.

"Where are you wounded, Colonel?" asked the Coward.

"In the arm and in the shoulder and in other places too delicate to mention, my son," said Colonel Dick Upshaw cheerfully. "Lend me a hand, will you?"

Peter twisted the cord with a stick, gagging over the hot blood. "Dr. Danbury was killed," he said, and felt surprised at his own ability to speak or think.

"Is that so?" said the Colonel. "Now slip along and see what you can see. Take the flag too. . . ."

Peter went on his hands and knees for a long toilsome distance, up, far up, until he came to a place where, by parting the laurel beside a protruding boulder, he could see the grimy artillerists serving the guns. He sat down to rest.

The attack was renewed under the smoke. The troopers deployed, dismounted; bent low, clutching their carbines, they glided up the slope like panthers. They staggered and wavered under a sudden volley; he heard the oaths of the officers and the sharp yell of the rally; he saw them go forward with rolling, spurting smoke. The smoke grew thicker and thicker; the volleys of the enemy sounded like the steady crash of a trip hammer. The sedge was afire in places; he could smell it, and there was another odor lifting upward — the fetor of blood and mangled bodies. For the guns above him cut away the little supporting line with a deadly enfilade. Peter saw them coming back.

As the fire slackened he felt the blood in his head pounding heavily. He was frightened about as much as he could be.

And then there came an utterly new sensation. It was like the burning that comes in the face and limbs of one coming in from the cold to a snug fire. It was reaction — it was anger! He remembered the great white bloody face of Upshaw — his Colonel, who was kind to him — and the things the Major said, and the General's praise. The new emotion dominated everything else.

And he found a thing to do. His pockets and cartridge-box were full. He had not fired a shot. He unslung his carbine. A moment later it banged under the laurels. The sergeant in charge of the nearest piece jerked back, rested for a moment with his hand upon the escabel, and sank.

Peter drew back to load. There is something steadying in charging a muzzle-loading rifle. Peter began to feel cool as he bit his cartridges and rammed home the balls. He began to please himself with the fancy that these smoky cannoneers were in reality but large squirrels. It served his aim, and he averaged a man for every two or three shots. He had no idea how many there were, or what reserves they had, but he argued that it would be a good thing to shoot as many as he could. He was fired at repeatedly. He did not care. The Peter Dorgan who collapsed at the wailing of the bullets was another person. In anger and incandescent hatred he had passed some strange climacteric; the latent brave blood at last was stirred — at last! The nearest piece was trained upon him; he rolled under the rock, and there was a concussion that made his nose bleed. It was a fatal

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mistake. Surely Destiny, the great Alchemist, was watching narrowly his darling experiment — the making of a man! For the angle was too great; the gun leaped like a wild animal from the trunnion-plates, breaking the cap-squares, and the piece itself pitched down the cliff!

There was but one cannon in action now. A calm exultation possessed him; he gloried in the exercise of power — a sweet novelty indeed to him! — and he hummed to himself as he rammed home a cartridge:

"The years glide slowly by, Lorena."

He wondered why they did not send some one down to kill him. He did not know it was because of his marksmanship. There was none to send.

In the ravine Marmaduke's gallant fellows were rallying about their chief. They were not five hundred now. The Brigadier had ridden far and boldly within the enemy's lines with the resolute handful of rangers upon whom he had staked so much; and he was penned like a bull in a stockade.

Peter heard the old defiant yell as they formed once more for desperate work. He fired his last rifle cartridge at a lank artilleryman who was preparing to send a shell into the formation. Peter heard the far cry of his own bullet and knew he had missed.

He sprang from cover with a passionate scream. He feared nothing. His paramount desire was to kill. He dug his heels in the red soil, swiftly pushing himself up with the color-staff. Ten feet from the ledge where the field-piece was posted he was fired upon. The head of a sponge-staff whiffed past his ear, and he crouched in the shelving dirt, and with his revolver shot the artillerist — there was but one — through the body.

Then in a moment he stood with his arm about the heated cannon, the burn of the sun on his neck, waving the silk flag and cheering in unspeakable exultation, in a hoarse whisper!

Oh, if Lorena could see him!

The men in the theater below saw the old rag puffing significantly in the morning wind, and Marmaduke knew now where his old regimental colors were. A hoarse thrilling clamor pealed along the line of skirmishers.

Peter could not understand why he was not shot. About him lay the dead gunners in all attitudes; he did not care for that; he set the color-staff upright in the cheek-rings, and pulled the carriage about, and worked at the elevating screw, and pulled the lanyard. The projectile snarled high and far, and burst precisely in the gap. It was fool's luck, but Peter did not know it; he stood at ease, elate in his new character, the Master of the Situation, and he hummed his song as he delved in the caisson:

"A hundred months have passed, Lorena."

He did not see what bright feverish eyes were watching him until he heard a voice:

"Has your mother any more like you?"

One of the artillerymen was trying to sit up, his thumb pressed into his femoral artery.

"Oh, will you have a drink?" said Peter.

"No water," said the artillerist. "Did you ever fight artillery?"

"I've practiced with howitzers. I know how. You hoped I didn't know, didn't you?" said Peter brightly. It appeared to him he had never made such a neat speech. But indeed he could not help wondering who he was — he himself!

"Why don't they send you reinforcements?" he asked. He was shelling the enemy's center now in a businesslike way. They wavered for one fatal instant. Peter Dorgan's shells carried the balance of power. With raucous yells the dismounted cavalrymen raged through the gap.

"Don't you worry," said the artillerist hopefully. "It takes a quarter of an hour for to get up here by the way we came. You'll ketch lead in just a minute."

There was a hurry of passing feet and firing among the boulders behind him. Peter grew numb in legs and chest. As he made a movement to recharge the piece a sudden chill and nausea came over him, and a wave of homesickness and tender self-pity, and he lay down over the stock of the carriage. It came very suddenly — a sense of exquisite, overpowering weariness, which he had no thought of resisting.

From beyond the ravine came the cheers of the Marmaduke cavalry — an eager, persistent tumult that told of definite success.

How softly it sounded in his ears! The hills answered faintly — so faintly and far away.

And on the bluffs there was silence. Almost one by one the crickets resumed their piping and the jar-flies took up again their

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sibilant singing. High in the hot sky circled the buzzards. An ethereal spider-line trailing from a tall pine caught the September morning sun and gleamed. Peter noted it with intense minuteness, and the men seemed cheering for many hours in the corn-fields and timber. The trail of the carriage was very wet and of a bright red. And he heard the flag softly snapping, snapping very softly, above him in the breeze.

"He came up in a balloon, I guess," said the one living artillerist. "We couldn't git out his range — there wasn't room. He unlimbered and plunked us one by one, so blasted regular that some got afeard of him and run. The thing ain't possible. I've seen it done, and yit I say, it ain't possible! We brought them guns up piece by piece, too, and belonged to the finest battery in the service — the bloody son of a gun! — Gimme a drink of whisky!"

"Not Dorgan?" said General Marmaduke. "Was it really you? Was there no one to help you? My brave lad, are you badly hurt?"

"Yes, sir." Peter raised himself and fell forward with swimming eyelids. General Marmaduke caught him in his strong arms and put his head for a time over his heart.

"Gentlemen, this boy has saved the command, and he is going out," he said, and a hardening came in his throat.

The little dragoon's head fell backward. . . . If Lorena could see him *now!*

THE HISTORY OF THE STANDARD OIL COMPANY: PART TWO

BY

IDA M. TARBELL

AUTHOR OF "THE LIFE OF LINCOLN"

CHAPTER IV

THE TROUBLES OF A TRUST

ALL that Mr. John D. Rockefeller asked of the country by the year 1885, was to be let alone. He had completed one of the most perfect business organizations the world has ever seen, an organization which handled practically all of a great natural product. His factories were models of their kind, managed with the strictest economy. He owned outright the pipe-lines which transported the crude oil. His knowledge of the consuming power of the world was accurate and he kept his output strictly within its limit. At the same time the great marketing machinery he had put in operation carried on an aggressive campaign for new markets. To China, Africa, South America, as well as to remote parts of Europe and the United States, Standard agents carried refined oil. The Standard Oil Company had been organized to do business, and if ever a company did business it was this one. From Mr. Rockefeller himself, hidden from everybody but the remarkable body of directors and heads of departments which he had "acquired" as he wiped up one refinery and one pipe-line after another, to the humblest clerk in the office of the most remote marketing agency, everybody worked. There was not a lazy-bone in the organization, nor an incompetent hand, nor a stupid head. It was a machine where everybody was kept on his mettle by an extraordinary system of competition, where success met immediate recognition, where opportunity was wide as the world's craving for a good light to cheer its hours of darkness. The machine was pervaded and stimulated by the

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consciousness of its own power and prosperity. It was a great thing to belong to an organization which always got what it wanted and which was making money as no business in the country ever made it.

What more, indeed, could Mr. Rockefeller ask than to be let alone? And why not let him alone? He had the ability to keep together the widespread interests he had acquired — not only keep them together, but unify and develop them — why not let him alone? Many people, even in the Oil Regions, were inclined to do so. Some because they feared him — rumor said Mr. Rockefeller was vindictive and never forgot opposition; others because they were canny and foresaw that some day there might be a chance for them in the Standard Oil Company; still others because criticism of success is ungracious business and arouses a suspicion that the critic may be envious or bitter. But there were a few people, as there always are, whom no cowardice, self-interest, or fear of public opinion could keep quiet, and these people insistently urged that the Standard Oil Company was a menace to the commerce of the country. These people went over again and again the steps by which Mr. Rockefeller had reached his height. They began to point out a result of his success less apparent then than now: that a monopolization of one great industry means gradual control of others. We have been and are being wronged, they repeated. We have a right to do an independent business. Interference to drive us out is conspiracy. Let Mr. Rockefeller succeed in the oil business and he will attack other industries; he will have imitators; in fifty years a handful of men will own the country.

Mr. Rockefeller handled his critics with a skill bordering on genius. He ignored them. To see them, to answer them, called attention to them. He was too busy to answer them. "We do not talk much — we saw wood." An attitude of serene indifference is supremely wise — for a time. It belittles the critic and it gives the outsider, who watches the game, a feeling that a serenity so high must come from an impregnable position. Only the few irreconcilables withstood his sphinx-like attitude, and yearly, after the compromise of 1880, their warnings and accusations became louder and more fierce. Probably the greatest trial Mr. Rockefeller has ever had has come from the persistency with which malcontents have kept him before the public. They have interfered with two of his great principles — "hide the profits," "say nothing." It was they who had ruined the South Improvement Company; it was they who had indicted him for conspiracy and compelled him to compromise in 1880. It was they who now, after the splendid pipe-line organization was completed and his marketing machinery was in order, kept up their agitation and their cursing. And their work began to tell. The feeling that the Standard Oil Company must be looked into grew. Even those who, dazzled by Mr. Rockefeller's achievement and by the effectiveness of his machine, were inclined to overlook its ethical side and to refuse to consider to what aggregation of power and abuse it might lead, began to feel that it would be quite as well to have the matter thrashed out, to have it settled once for all whether the thing had been so bad in its making, and was so dangerous in its tendencies as the "oil-shriekers" pretended.

This feeling was intensified in 1885, 1886, and 1887 by a series of remarkable trials and investigations. Two of these have already been described in the last December issue of this magazine. The first brought out Mr. Rockefeller's peculiar arrangements with competing refineries for limiting the output of refined oil so as to keep up prices, and the contract for rebates with the Lake Shore Railroad which he enjoyed for a number of years; a contract which, as Judge Atherton said in giving his opinion on the case, kept freight rates *down* for the Standard Oil Company and *up* for all others, and enabled it "to establish and maintain an overshadowing monopoly, to ruin all other operators and drive them out of business."

The second case was one showing that in 1885 the pipe-line department of the Standard Oil Trust made a contract with the receiver of the Cleveland and Marietta Railroad, by which it paid 10 cents a barrel on its oil shipments while its rivals paid 35 cents. Moreover, that 25 cents of this 35 was given to the Standard as a drawback. This case was explained in December as fully as seemed necessary to the writer at the time, but since its publication her attention has been called to certain statements claiming that the contract was made by subordinates

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without the knowledge or consent of the Standard Oil Company officials, that it was repudiated as soon as it was known and *before* the suit which finally made it public was brought, and that restitution was at once made to the persons wronged. For instance, in the Digest of Evidence made by the Industrial Commission in its report published in 1900 (p. 158), it is stated that the money collected was refunded *before* suit was brought. Again, in an interview published in the New York *World* for March 29, 1890, Mr. J. D. Rockefeller himself states: "When the arrangement was reported to the officers of the company at New York, it was not agreed to, because our counsel pronounced it illegal in so far as it embraced oil carried by the pipe-line. Some $250 had been paid to the pipe-line under this contract on oil which the line had not transported. This was refunded. We repudiated the contract before it was passed upon by the courts and made full recompense. In a business as large as ours, conducted by so many agents, some things are likely to be done which we cannot approve. We correct them as soon as they come to our knowledge. The public hears of the wrong — it never hears of the correction."

The facts in this case, as found by the Special Master Commissioner, George K. Nash, late Governor of the State of Ohio, appointed to investigate and report to the court for its action on the discriminations charged against the receiver of the Cleveland and Marietta road, are these: They show that both the statement in the report of the Industrial Commission and the impression Mr. Rockefeller seeks to give are wrong.

On the 8th of February, 1885, Daniel O'Day and W. T. Scheide, both men in high official positions in the Standard Oil pipe-line service, met the general freight agents of the Wheeling and Lake Erie Railroad and the Cleveland and Marietta Railroad at Toledo, Ohio, where an arrangement was made by which all crude oil shipped from Macksburg and vicinity over the Cleveland and Marietta Railroad should pay 35 cents a barrel, 10 cents of which was to go to the railroad and 25 cents to the Standard. The receiver of the road objected to the contract on the ground that it was intended to drive the independent oil refiners at Marietta out of business, but consented to it after advising with his counsel, because, if he refused, the Standard threatened to put a pipe-line from Macksburg to Parkersburg through which to transport all the oil controlled by them. The loss of this freight the receiver felt his enfeebled road could not afford.

This contract, made at Toledo, went into effect on the 20th of March, 1885. Among the shippers from Macksburg to whom the contract applied was Mr. George Rice. When he found that he was to be charged 35 cents on his oil — double what he had been paying — he began to build a pipe-line of his own from Macksburg to the Muskingum River. In the meantime, from March 20th to April 30th, he shipped over the road, sending 1,360 barrels, on which he paid $476; $340 of this money was sent to the headquarters of the Standard pipe-lines, at Oil City, Pa. At the end of April Mr. Rice stopped his shipments over the Cleveland and Marietta, and five and a half months later, on October 17, 1885, he applied to the court for an order requiring the receiver of the Cleveland and Marietta to report to the court touching his charges and rates of freight on oil. Judge Baxter, to whom the application was made, immediately issued such an order. Ten or twelve days *after* this order was issued, and over *eight months* after the arrangement of Mr. O'Day and Mr. Scheide had been made at Toledo with the freight agents, a check for $340, the amount paid the Standard out of Mr. Rice's freight charges, was returned to the agent of the Standard at Marietta, who sent it to the bank of the receiver in Cambridge, Ohio. The money later was returned to Rice.

Governor Nash also found that drawbacks to the amount of $649.15 had unjustly been paid to the Standard Oil Company on the shipments of the Argand Oil Works and Argand Refining Company, of Marietta, and to the amount of $639.75 on the shipments of the Marietta Oil Works. The sums were refunded by the Standard Oil Company in both cases.*

The facts show that the statement in the report of the Industrial Commission that the money was refunded *before* suit was brought is wrong and that, while Mr. Rockefeller is technically correct in stating

* The documents from which the statements are drawn are all on file in the office of the Clerk of the United States Circuit Court for the Southern District of Ohio, Eastern Division.

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that the Standard repudiated the contract before it was passed on by the courts, he should have added they did not repudiate the contract until *eight months after* it was made and did not refund the money until *twelve days after* it became certain that the contract would be produced in court.

Simultaneously with these two cases there was a most sensational trial going on in Buffalo, New York, growing out of an indictment for the crime of conspiracy by the Grand Jury of Erie County, New York, of three prominent members of the Standard Oil Company — H. H. Rogers, John D. Archbold, and Ambrose McGregor — with two refiners with whom they were associated — H. B. Everest and C. M. Everest. The case is reported here at some length, because of the importance it has assumed in the popular controversy which has been going on for the last twenty years over "Standard methods," it being the case on which is based the often-repeated charge that Mr. Rockefeller, to win his point, has been known to burn refineries. For sake of clearness, a narrative of the case has been drawn from the testimony offered, no statements being admitted which were not brought out in the trial.

It seems that some time in 1879 the owners of the Vacuum Oil Works, of Rochester, New York — H. B. and C. M. Everest, father and son — sold to H. H. Rogers, J. D. Archbold, and Ambrose McGregor, of the Standard Oil Company, a three-fourths interest in that concern. The Everests remained as managers of the refinery, on a salary of $10,000 a year. The business policy of the Vacuum, including the fixing of salaries, was dictated by a board of directors made up of Messrs. Rogers, Archbold, McGregor, and the two Everests. The meetings of this board were held at the office of the Standard Oil Company, in New York or in Rochester, as convenient.

So far as can be inferred from the testimony, the works were well managed, the dividends large, and the employees well treated. In 1880 the salesman of the concern, J. Scott Wilson, decided to leave the Vacuum and go into business for himself. The decision seems natural, for until 1878 Mr. Wilson had carried on an independent oil business of one kind or another. He had been a partner in a refinery and understood making oils. He had been a jobber on his own account before going with the Everests, and as such had had a considerable clientele. Wilson told one of his fellow employees, Charles B. Matthews, of his decision, and asked him to go with him. Matthews had been with the Everests about the same length of time as Wilson — some two years. Previous to this engagement he had been a farmer. He had had no experience in oil refining, for his duties at the Vacuum had been mainly looking after outside business — for instance, he had several times gone to New York to consult J. D. Archbold and H. H. Rogers concerning business matters, and particularly concerning patents, owned by the Vacuum, of whose validity there was some doubt. For some time Matthews had been dissatisfied with his salary — he had asked for a raise, but had not got it — a fact which probably made him more favorable to Wilson's suggestion.

The two men decided finally to form a company and build an oil refinery at Buffalo. Wilson said on the witness-stand that he did not want to handle the Vacuum processes in the new works, but to make only the oils with which he was familiar. Matthews, however, had convinced himself that the patents which covered the Vacuum processes and apparatus were invalid, and insisted that they build at least one Vacuum still. The question of what steps the Vacuum might take to stop them was discussed, and Matthews remarked that he expected they would pay $100,000 or $150,000 to prevent their going into business.

The new firm needed an experienced stillman, accustomed to the Vacuum processes, and, early in 1881, they asked one Albert Miller, a stillman in the Vacuum works, to join them. "If we have Miller," they told each other, "we can go to the customers of the Vacuum Oil Company and say to them, 'We have the same process and the same apparatus and the same oils as the Vacuum Oil Company, and we have their oil superintendent, Mr. Miller, to manufacture the oils.'" Miller had been with the Everests for several years, having worked his way up from a laborer at two dollars a day to a position where, as stillman, he was paid by the hour, and earned from $1,200 to $1,400 a year. He and his wife had been thrifty, and had several thousand dollars in property. Miller thought there was money in the new venture, and consented to join Wilson and Matthews. The

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three set about carrying out their plans before they notified their employers of their intention to leave — Miller going so far as to order certain iron castings, needed in the construction of their works, made after patterns owned by the Everests. He had these made at the foundry patronized by the Everests. He paid for them himself, and carried them away, presumably giving the impression that they were for his employers.

Early in March Matthews and Miller notified C. M. Everest, who was in charge, his father being in California, that they were going to leave and establish at Buffalo an independent concern, to be called the Buffalo Lubricating Oil Company, Limited. Mr. Everest, surprised out of discretion by the news, told them plainly that he should do all in his power to injure the proposed concern. He asked them where they expected to get oil, and they replied that they would get it from the Atlas Refining Company, an independent concern in Buffalo, which had its own pipe-line. "You will wake up some morning and find it is in the Standard," replied Mr. Everest. Apparently Mr. Everest's threat had little influence on the men, for they pushed the building of the works in Buffalo as rapidly as possible. On March 15th they signed an agreement to carry on the proposed business for five years, each man to put in $2,000. A month later the three men, with two relatives of Matthews's, organized a stock company — the Buffalo Lubricating Oil Company, Limited — with a capital of $40,000.

Although Miller had gone to Buffalo the first of March, with Matthews and Wilson, he returned frequently to Rochester to see his family. On several of these visits he saw C. M. Everest, who never failed to ask about the progress of the new concern, and to warn him that the Vacuum Company would never allow it to do business. "Don't you think, Miller," Everest said to him once, "that it would be better for you to leave those men and have $20,000 deposited to your wife's credit than to go to these parties?" Miller affirms that he answered that he had gone with the new firm in good faith, and thought he ought not to leave them.

About two months after the new firm began building, the elder Everest, who had been in California, returned to Rochester, and soon after had several interviews with Miller. He impressed on the man, as his son had done, that the Buffalo Lubricating Works would never succeed. He told him that the Vacuum meant to bring suit against them for infringing their patents, and would get an injunction and stop the works; that Miller, being the only man who had money, would lose it all. To save himself, Everest advised Miller to come back to the Vacuum. "But that would leave them in pretty bad fix," Miller said. "That is exactly what I want to do," replied Everest.

The fear that the new concern might be ruined through the hostility of the Vacuum, and he lose his savings, seems to have preyed on Miller's mind. He took his wife into his confidence, and she, too, became alarmed. He began to neglect his work in Buffalo. He was often away at nights. Matthews began to be worried by Miller's neglect and absence, and to watch the stations to find, if possible, where he went.

Miller's question now was, how could he get away from the Buffalo firm? He had signed, for the company, a note for $5,000. He was under contract for a term of years. He discussed the question with the Everests, and they advised him to see his lawyer. On the 7th of June, according to Mr. H. B. Everest,* who went with him to help present the case, Miller did consult George Truesdale, a lawyer of Rochester, who had always handled his business. Mr. Truesdale afterwards told in court what occurred.

"Mr. Everest stated that Miller had left his employ, and got engaged with another oil concern in the city of Buffalo; that he desired to get back again; he wanted him to come back; and he said he supposed Miller had explained to me his situation, and the obligations he was under to the Buffalo company. I told him that he had made some statements to me about his contract with the parties in Buffalo; that he had spoken about being an endorser or party to the note made by — I think he said Matthews and Wilson and himself, and I think another party, four or five of them had made, endorsed a note to raise money, done to start the Buffalo business, and that he had a contract or an arrangement with them to go into a company at Buffalo to manufacture oil, and that he wanted to know how he could get out of that arrangement. I stated what I had said to Miller, that he would, of course, be liable on the note, if he was charged properly when it became due, and that if he wanted to get out of that arrangement my advice to him had been to see if he couldn't get released; if they wouldn't release him, or buy out his interest; then, if he couldn't do that, the only other way I saw was for him to leave them and take the consequences.

* Trust Investigation, Committee on Manufactures, House of Representatives, 1888, p. 864.

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I told him that I did not know the exact terms of his contract, but, if he had entered into a contract and violated it, I presumed there would be a liability for damages, as well as a liability for the debts of the Buffalo party. Mr. Miller and Everest both talked on the subject, and Mr. Everest says, 'I think there is other ways for Miller to get out of it.' I told him I saw no way except either to back out or to sell out; no other honorable way. Mr. Everest says, substantially, I think, in these words, 'Suppose he should arrange the machinery so it would bust up, or smash up, what would the consequences be?'—something to that effect. 'Well,' I says, 'in my opinion, if it is negligently, carelessly done, not purposely done, he would be only civilly liable for damages caused by his negligence, but, if it was wilfully done, there would be a further criminal liability for malicious injury to the property of the parties, the company.' Mr. Everest said he thought there wouldn't be anything only civil liability, and said that would—he referred to the fact that I had been Police Justice, had some experience in criminal law—and he said that he would like to have me look up the law carefully on that point, and that they would see me again."

In a talk with Miller a little while after this, C. M. Everest said to him: "You go back to Buffalo and construct the pipes so that they cannot make a good oil, and then, I think, if you would give them a little scare. You might scare them a little, they not knowing anything about the business, and you know how to do it."

On account of Miller's neglect, the first still in the new refinery was not ready to be fired until June 15th—it was an ordinary still, as was the second one built—the third only was built for the Vacuum process. As soon as the still was ready it was filled with some 175 barrels of crude oil and a very hot fire—"inordinary hot" was the droll description of the fireman—built under it. Miller, who superintended the operations, swore at the fireman once or twice because the fire was not hot enough, and then disappeared. While he was gone the brickwork around the still began to crack. The safety valve finally blew off and a yellow gas or vapor escaped in such quantities that the superintendent of a neighboring refinery came out and warned the fireman that he was endangering property. Miller was hunted up. He had the safety valve readjusted—it was thought by certain witnesses that he had it too heavily weighted—and ordered the fires to be rebuilt, hot as before. He again disappeared. In his absence the safety valve again blew off. The run of oil was found to be a failure. It was not a pleasant augury, but oil refiners are more or less hardened to explosions and no one seems to have thought much of the accident. Nobody was injured—nothing was burned, nothing but 175 barrels of oil spoiled—that, in an oil refinery, is getting off easy.

On the 23d of June Miller made the transfer of property advised by the Everests and talked over with Truesdale, and a week later he left the Buffalo works suddenly on receipt of a telegram, and joined H. B. Everest at the Union Square Hotel in New York. Here Everest advised him to telegraph his wife to move at once to Rochester lest Matthews attach their household goods, and then proposed the two go to Boston. The only event of interest at the Union Square Hotel was a purely casual meeting with Mr. H. H. Rogers, one of the directors of the Vacuum Oil Company. Mr. Rogers seems to have had no conversation with Miller other than to remark in leaving that he would see him to-morrow if he did not go to Boston. The men did, however, go to Boston, junketing about for some days on what Everest tried, with indifferent success, to persuade Miller was a pleasure excursion! While they were amusing themselves, Everest hired Miller at $1,500 a year to "do any fair job we put him at, either at Rochester or some other place." The job turned out to be a rambling one—a few weeks of semi-idleness in Boston—then nothing until September, when he undertook to supervise the drilling of a salt well in Le Roy, New York. This lasted until February, 1882; then nothing until May, when, on the advice of H. B. Everest, who had returned to California, Miller went there: "Pack up, sell your property there and come on. Come right to my house and I will help you to get a place and show you how to raise fruit and be an independent man." Miller went, the Vacuum Oil Company paying his expenses. On his arrival he was put to work in a cannery.

In the meantime things were going badly with the Buffalo Lubricating Works. Miller's loss was a severe one. The men were all novices in making oil, save Wilson, and he was on the road, and they seem to have been unable to find a competent manager. The Everests soon succeeded, too, in getting Wilson out of the new firm by bringing a suit against him for damaging its business by unlawfully leaving it. The suit was withdrawn and

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the costs paid when Wilson consented, in December, 1881, to leave the Buffalo works. Wilson's loss was particularly serious, as he was a salesman of experience.

The suits for infringing the Vacuum patents and processes, which Everest at the start had warned Matthews would be brought, were begun in September, 1881 — four separate suits within a year. Matthews, as has been said, had convinced himself that the patents were not valid, and some time in the spring of 1882 he saw H. H. Rogers in New York concerning the suits.

"I told him I had come in to talk with him about the patent litigation, or suits that were begun by the Vacuum Oil Company against my company," Matthews said in his testimony. "'Well,' he said; 'well, what about it?'—something like that. I told him that the product patent, that I well knew, was without merit, and that he knew it was without merit, and I could not see what object or good they could get out of it by bringing suit on that patent. And also the steam patent, I considered was without value, and that he knew it was without value. He said that if one court did not sustain the patents that they would carry along up until we got enough of it — that was the substance of that talk."

Matthews was evidently discouraged by the result of his talk with Rogers, for, meeting Mr. Benjamin Brewster, of the Standard Oil Company, he offered to sell the Buffalo Lubricating Works for $100,000. The offer was refused, and the suits against which Mr. Matthews protested were pushed — three of them were lost by the Vacuum people, one sustained, damages of six cents being awarded; but those lost were not carried up, as Mr. Rogers had warned Mr. Matthews they would be.

The disappearance of Miller, the man on whom the firm had depended for superintending building and refining, the withdrawal of Wilson, with whom the enterprise had originated and on which it had staked its hopes of finding a ready market, and the series of suits for infringement of patents, were troubles brought on him, so Matthews believed, as the result of a deliberate attempt on the part of the Vacuum Oil Company to make good C. M. Everest's threat to do all in his power to ruin the Buffalo Lubricating Works, and, in the spring of 1883, he brought a civil suit against the Everests for $100,000. While Matthews was working up his case he learned that Miller had returned from California, that he had left the Everests because he claimed they had "not treated him right," and that he was idle in Rochester. Matthews asked him to come to Buffalo, and evidently got from him then, for the first time, the story of the pressure the Everests had brought to bear on him to leave the Buffalo Lubricating Works, the "fixing" of the still at their advice so that something would "smash," the transfer of his property, his two years of semi-idleness on $1,500 a year and a bonus of $1,000, paid for a reason which can only be surmised, and his final breaking in California, because he saw no settled employment in view and no prospect of the Everests doing more for him than they were. To all of this Miller made deposition in July, 1884.

The first civil suit was brought to trial early in March, 1885. A short time before the trial began Matthews secured evidence which emboldened him to give his suit a much wider range than he had intended. This was the testimony of the lawyer Truesdale, quoted above, that in his office Everest had suggested that Miller "arrange the machinery so that it would bust up or smash up." The explosion of June 15th was immediately construed as the result of this counsel. On the strength of this evidence Matthews instituted a second civil suit for conspiracy to bankrupt him, but added to the original defendants the three other directors of the Vacuum Works — H. H. Rogers, J. D. Archbold, and Ambrose McGregor — and the Standard Oil Company of New York, the Acme Oil Company of New York, and the Vacuum Oil Company. Matthews seems to have argued that, as Rogers, Archbold, and McGregor were directors with the Everests in the Vacuum Oil Company, they had probably been consulted by the Everests concerning Miller, and could be included in the conspiracy, and, as the Vacuum, Standard Oil Company, and Acme Oil Company were all concerns in the Standard Oil Trust, they, too, could be included. He also went before the Grand Jury of Erie County and secured there an indictment of H. H. Rogers, J. D. Archbold, Ambrose McGregor, and the two Everests for criminal conspiracy. The defendants succeeded in getting the indictment set aside the first

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time, but Matthews re-presented the case, and a second indictment was found of the same persons. It should be noted that Mr. McGregor was indicted only because he was a director of the Vacuum works, his name not being mentioned in the evidence presented to the Grand Jury.

Matthews seems to have been convinced that his case was impregnable as soon as he got Miller's first deposition, and to have talked freely about what he expected to get from it. In December, 1884, he told a business acquaintance that he ought to have brought his civil suit for $250,000 instead of $100,000. In the spring of 1885 he said to Mr. Cotter, an independent oil refiner of Philadelphia, in talking of his suit, that the Standard should buy him out or that he would make it very warm for them.

An indictment for conspiracy of three men of such prominence as Mr. Rogers, Mr. Archbold, and Mr. McGregor riveted the attention of the whole country on the coming trial. It was apparent from the first that the Standard meant to put up a big fight to have the indictment quashed. They had, indeed, set a strong machinery at work immediately to get evidence on which to bring a counter charge of conspiracy, that is, that Matthews's intention in starting the Buffalo Lubricating Works was never to do business, but to force the Standard to buy him out at a big price. They at once set a detective to work on the case, one item of his instructions reading: "We have reason to believe that the suit is brought for the purpose of forcing the Standard to purchase the works of the Buffalo Lubricating Company and Matthews has made certain statements to that effect; would like reports of any statements or admissions by him in relation to his objects in these suits." Under the direction of this detective, a man employed in Matthews's works for some months made daily reports of what he saw and heard there, copies of which were forwarded to the Standard office in New York.

A detective was also put on Miller's track. Miller was now employed in a refinery in Corry, Pennsylvania, and here he was for a long time under espionage. The chief expression obtained from him was by luring him into a saloon one Sunday afternoon and getting him half drunk. While in this condition, the saloon-keeper testified, he said the Buffalo suit was a —— humbug, but there was money in it and that they (he and the persons who were drinking with him) might as well make it as anybody.

It was on May 2, 1886, that the trial began. The array of wealth and legal learning in the Buffalo court-room during the fourteen days' case, set not only the town, but the country, agape. There were not only the Standard men indicted of conspiracy — H. H. Rogers, J. D. Archbold, Ambrose McGregor — but Mr. Rockefeller himself was there — quiet, steady, watchful. The hostile said the accused and their counsel were disdainful of the proceedings — nobody charged Mr. Rockefeller with disdain.

There was a great array of legal learning — five eminent lawyers. This for the accused. For the people was the District Attorney of Erie County, George T. Quinby, with one assistant. For fourteen days witnesses were examined, and the above story was dragged from them by dint of questioning and cross-questioning. On May 10th the testimony for the prosecution ended and the "people rested." The Standard lawyers immediately applied for the acquittal of Mr. Rogers, Mr. Archbold, and Mr. McGregor, on the ground that no fact or circumstance had been proved that connected them in the slightest degree with the charge of conspiracy to lure Miller away or to destroy the Buffalo works. The District Attorney combated the proposition vigorously. These gentlemen, he contended, owned three-fourths of the Vacuum works; they were always present at directors' meetings; it was a fair presumption that they knew what was done to persuade Miller to leave the Buffalo works; they must have known the moneys paid him while he was doing little work. Mr. Rogers had certainly threatened Matthews that he would carry up the patent suits until the Buffalo works got enough of it.

The upshot of the matter was that Judge Haight advised the jury to acquit Mr. Rogers, Mr. Archbold, and Mr. McGregor. "The indictment charges a conspiracy," the Judge said. "It also charges certain overt acts. One of the acts charged in the indictment is the enticing away from the Buffalo company of a servant. Another of the acts alleged is an attempt to blow up or destroy the Buffalo works, and another

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act that of bringing false suits against the corporation. So far as the agreement or combination to entice away a servant from the Buffalo company is concerned, I have not been able to recall any evidence which shows that either of these three defendants ever knew of it, ever heard of it, or ever took any part in it at all. So far as the charge of an attempt to blow up the Buffalo works is concerned, I have been unable to recall any evidence that has been given in which either of these three defendants ever knew of it, ever heard of it, ever advised it, or ever took any part in it whatever. The only thing about which I have had any doubt was in reference to the maintaining of actions which have been brought upon patent rights which were formerly owned by the Everests, and by the Everests transferred to the Vacuum Oil Company, and it appears that two suits were brought upon patents, and that there was another suit, a third one, in reference to a trade-mark. It appears from the evidence that upon one occasion Mr. Matthews went to New York and had a talk with Mr. Rogers, and that his conversation has already been discussed and related in your hearing. The query in my mind was as to whether or not the inference could not be drawn, from this conversation, that Rogers did know of the bringing of these actions, acquiesced in their being brought, and in that way became a party to them; but, even conceding that the actions were brought with his knowledge and consent, I am inclined still to think that the evidence is hardly sufficient to warrant his conviction, for the reason that it does not appear that the actions were brought without probable cause; in other words, the bringing of an action and being defeated in the action is not of itself sufficient to authorize a jury to say that it was a false action. That standing alone is not sufficient to authorize the jury to say that it is a false action, but there must be shown in addition to that that there was a want of probable cause; in other words, that the party bringing the action knew and understood beforehand that he had no good cause of action. . . . I am inclined to the opinion that the evidence would not warrant his conviction upon that ground."

There was great noise made about the acquittal, charges of bribery and undue influence; but any fair-minded person reading the evidence carefully must agree that Judge Haight had no choice.

The acquittal of the three Standard gentlemen was followed by an application for the acquittal of the Everests, but the case with them was different. It had been proved conclusively that they threatened at the start to ruin the new concern, and that they had counseled Miller "to arrange the machinery so it would bust up or smash up"; there was a strong presumption that Miller, acting on this advice, had arranged for the explosion of June 15th, though, as he claimed, he meant only to "give them a scare." The Judge denied the application in their case, therefore, and the trial went on. The whole force of the defense was now thrown to proving that Matthews had gone into the Buffalo Lubricating Company merely to sell out. His offer to Mr. Brewster in 1882, his talk of making the Standard settle, were rehearsed. Two witnesses were produced also, who told of seeking Matthews in 1885, after the criminal suit was brought — both of them were strangers to him at that time — and of offering, on the ground that they knew the Standard defendants, to attempt to settle the affair. Matthews had told these men that, if the Standard would give him $250,000 for his refinery, he would withdraw the civil suit, but that he would not touch the criminal suit as it was in the hands of the District Attorney. The jury was not greatly influenced by the evidence produced to show that Matthews was a blackmailer. Evidently they concluded that, granting that the Everests had cause of complaint against the men for using their processes — they certainly had no just cause in the fact of the three men setting up in business for themselves — granting that the enterprise was started for blackmailing purposes, the Everests should have taken their case into the courts — not plotted the destruction of the refinery by any such underhand methods as they employed. Whatever the jury's process of reasoning, however, it is certain that on May 16th they brought in a verdict of "guilty as charged by the indictment."

The most strenuous efforts were made to set the verdict aside. The Judge granted a stay, and an attempt to get a new trial was made, but unsuccessfully. The sentence was stayed until May, 1888. The statute provided a penalty of one year's

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imprisonment or $250 fine or both. Efforts were at once made to soften the sentence. A petition signed by over forty "leading citizens" of Rochester, New York, the home of the Everests, was sent to Judge Haight, praying him, on account of the "untarnished fidelity and integrity" of the convicted men, to make the penalty as light as the court was authorized by law to fix. Six of the jurors were induced to sign a paper claiming that in their belief the jury in rendering its verdict of guilty, did not mean to pronounce the Everests guilty of an attempt to blow up or burn the works of the Buffalo company, but guilty only of enticing Miller away, and they recommended that the sentence, therefore, be a fine and not imprisonment. The result was that the two Everests were each fined $250. This sentence was made light, the Judge explained, because of the civil suits brought to recover damages for the very same acts — a person could not be punished twice for the same offense.

The first civil suit referred to above resulted in a verdict of $20,000 for Matthews. The second civil suit was for $250,000, but before it was tried Matthews's business had become so involved by all this trouble that in January, 1888, it was put into the hands of a receiver. The defendants then offered to settle the civil suits for $85,000. The Judge ordered the receiver to accept the offer, on the ground that a verdict for criminal conspiracy had already been brought against the Everests, and that a person could not be punished twice for the same offense!

It was not until June, 1889, that the receiver filed his account of the settlement of the affairs of the Buffalo works. Of the $85,000 paid by the Standard, Matthews seems not to have gotten a cent. The entire sum went to settle the debts of the concern and pay the lawyers. The large proportion which went to the lawyers was construed by certain persons as evidence that they were in the blackmailing scheme with which the Standard charged Matthews.

The leading firms which presented claims were Box, Hatch & Norton, Corlett & Hatch, and Lewis & Moot. It is said that their claims aggregated nearly $35,000. The receiver appointed by the court allowed them, respectively, $9,000, $2,500, and $11,200. The account filed by the receiver shows that they received considerably less. Box, Hatch & Norton were paid $5,625; Corlett & Hatch $1,562.50; Lewis & Moot $7,000.

Now, at the time that the settlement was made, Hatch was a Judge of the Superior Court and Corlett a Justice of the Supreme Court, and it was intimated by friends of the Standard that these gentlemen had used official influence in Matthews's favor. The documents in the case show that the moneys they received were all paid by the order of the court on the report of a referee, properly appointed, and went to settle liens for services rendered the Buffalo Lubricating Company in the long litigation which had grown out of the fight made on it by the Vacuum works. The money to Corlett & Hatch was paid for services rendered before either of them left the firm for the bench, according to an affidavit in the record.

This, then, in outline, is the history of the case on which are based all charges, so far as the writer knows, that the Standard Oil Company has deliberately destroyed property to get rid of rivals. The case is of importance, not only as showing to what abuses the Standard policy of making it hard for a rival to do business will lead men like the Everests, but it shows to what lengths a hostile public will go in interpreting the acts of men whom it has come to believe are lawless and relentless in pursuing their own ends. The public, particularly the oil public, believed the Standard would "do anything." It read into the Buffalo case deliberate arson, and charged not only the Everests, but the three co-directors, with the overt acts. They refused to recognize that no evidence of the connection of Mr. Rogers, Mr. Archbold, and Mr. McGregor with the overt acts was offered, but demanded that they be convicted on presumption, and when the Judge refused to do this they cursed him as a traitor. To-day, in spite of the full airing this case has had in the courts and investigations, Judge Haight is still accused of selling himself to a corporation, and Mr. Rogers is accused daily in Montana of having burned a refinery in Buffalo. As a matter of fact, no refinery was burned in Buffalo, nor was an intention to burn one proved.

These cases, coming simultaneously as they did, produced a profound public

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impression. Even to the most conservative they seemed a demonstration of what the critics of the Standard had been charging for years: that they used every means in their power to make it impossible for their rivals to do business. Public suspicion was still further aroused against the Standard at this time by their popular indictment for an offense even more serious than that of criminal conspiracy or forcing a feeble railroad to pay it a drawback out of a rival shipper's freights — this offense was the buying of a seat in the Senate of the United States.

In January, 1884, H. B. Payne, of Cleveland, Ohio, to the amazement of his party and State, had been elected by the Democrats to a seat in the Senate of the United States. The Legislature which returned Mr. Payne had gone to Columbus instructed for one of two candidates — George H. Pendleton or Gen. Durbin Ward. Mr. Payne's name had not been mentioned in the fall campaign, but hardly had the Legislature convened when there sprang up at the Neil House, in Columbus, an extraordinary Payne boom. Its backers were Senator Payne's own son, Oliver B. Payne, at that time treasurer of the Standard Oil Company, and Colonel Thompson, a prominent personage in the same concern. Their lieutenants were also members of the company in one capacity or another. Large sums of money were alleged to have been circulated. There was a rumor that Oliver Payne had said the election cost him $100,000. It was claimed that it could be proved that a check for $65,000 had been cashed in Cleveland by one of the Standard men prominent in the Payne boom and that the whole sum had been spent in Columbus.

A perfect uproar of indignation followed the announcement of Mr. Payne's choice. All over the State the Standard Oil Company was charged with the election. The Democratic press was particularly bitter:

"It was simply a question whether Pendleton, Ward, Thurman, Converse, Follett, Geddes or any other capable and honest Democrat should receive the compliment of a seat in the Senate or that the Standard Oil Company should buy the place for Henry B. Payne," said the Butler County *Democrat*.

The Carroll County *Chronicle*, in commenting on the election, said: "It is a great mistake to suppose Standard Oil has captured the Democratic party of Ohio. It may have captured a score or two of men elected to the Legislature, but they are not the Democracy of Ohio by a long shot."

"The monopoly of the Standard Oil Company must be destroyed," declared the Columbus *Times*. "Its intrusion into political circles must be prevented. There must be no later acceptance of this outrage. Political purity and perpetuity permit no complacency."

The comments were not confined to papers of the State; the New York *Sun*, under the head "Was Payne's Election Bought?" said:

"The subjoined communication from a source which we always respect, is worthy of more attention than is usually bestowed upon the animated expressions of those whose preferences have not been realized:

"It is now believed, and I believe that the Standard Oil Company recently bought with money Ohio's seat in the Senate of the United States for Mr. Payne. How can the social respectability of a man make such a crime respectable? Or is there to be one standard of political morality for Republicans and another for Democrats? Or are Democrats expected to condemn corruption only when practiced by Republicans and to condone, defend, and cover it up when practiced by Democrats, or when it is found only in the Democratic party? In my opinion there is no danger so threatening to free institutions as the sale and purchase of political power, and nothing more to be condemned."

Although these charges were kept up for two years, neither the Standard Oil Company, Mr. Payne, nor the Legislature which had elected him, noticed them. The scandal became one of the issues of the next Ohio campaign and was instrumental in returning a Republican Legislature. When the new Legislature convened, at the opening of 1886, an investigation of the Payne case was ordered. Some fifty-five witnesses were examined, and the resulting testimony turned over to the Senate of the United States for its examination. The testimony did not prove the charge of bribery, the Ohio Legislature said; the witnesses most concerned had absented themselves from the State, but the testimony secured was of such a nature as to require the Senate's attention. The matter went to the Senate Committee on Elections, and in July, 1886, a majority reported against the further investigation asked by the State of Ohio. Two members of the committee, Senators Hoar and Frye, protested against this decision.

"Is the Senate to deny the people of a great State, speaking through their Legislature and their representative citizens, the only opportunity for a hearing of this, one of the most momentous cases which can exist under the Constitution? We have

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not prejudged the case, nor do we mean to prejudge it. We sincerely trust that the investigation, which is as much demanded for the honor of the sitting member as for that of the Senate or the State of Ohio, may result in vindicating his title to his seat and the good name of the Legislature that elected him.

. . . . . .

"How can a question of bribery ever be raised, or ever be investigated, if the arguments against this investigation prevail? You do not suppose that the men who bribe, or the men who are bribed, will volunteer to furnish evidence against themselves? You do not expect that impartial and unimpeachable witnesses will be present at the transaction? Ordinarily, of course, if a claim like this be brought to the attention of the Senate from a respectable quarter, that a title to a seat here was obtained by corrupt means, the Senator concerned will hasten to demand an investigation. But that is wholly within his own discretion, and does not affect the due mode of procedure by the Senate. From the nature of the case the process of the Senate must compel the persons who conducted the canvass, and the persons who made the election, to appear and disclose what they know, and, until that process issue, you must act upon such information only as is enough to cause inquiry in the ordinary affairs of life.

"The question now is not whether the case is proved — it is only whether it shall be inquired into. That has never yet been done. It cannot be done until the Senate issues its process. No unwilling witness has ever yet been compelled to testify; no process has gone out which could cross State lines. The Senate is now to determine, as the law of the present case, and as the precedent for all future cases, as to the great crime of bribery — a crime which poisons the waters of republican liberty in the fountain — that the circumstances which here appear are not enough to demand its attention."

For three oppressive July days the Senate gave almost all of its time to a bitter debate on the reports. The name of the Standard was freely used. "The Senate of the United States," said Senator Frye, "when the question comes before it, as this has been presented, whether or not the great Standard Oil Company, the greatest monopoly to-day in the United States of America, a power which makes itself felt in every inch of territory, in this whole Republic, a power which controls business, railroads, men and things, shall also control here; whether that great body has put its hands upon a legislative body and undertaken to control, has controlled, and has elected a member of the United States Senate; that Senate, I say, cannot afford to sit silent and let not its voice be heard in an inquiry as to the truth of the allegation."

In spite of the hard work of Senators Hoar and Frye the majority report was adopted by a vote of 44 to 17.

For the time the matter rested, but only for the time. The failure to investigate rather intensified the conviction that Mr. Payne's seat had been bought by the Standard Oil Company. In 1887, when Mr. Payne voted against the Interstate Commerce Bill, people said bitterly: "It was for this the Standard put him in the Senate." The feeling became still more intense in 1888. The question of trusts was before Congress. The Republicans had come out with an anti-trust plank in their platform; the Democrats, in response to Mr. Cleveland's message, were declaring the tariff the greatest trust-builder in existence, and calling on their opponents for reform there, if they were sincere in their anti-trust attitude. In this agitation the Standard Oil Company undoubtedly exerted its influence against all trust investigation and legislation. The charge became general that they were helping the Democrats. "This is why they wanted a Democratic Senator."

In September, 1888, when a phase of the trust question was before the Senate, Mr. Hoar, with his genius for asking far-reaching questions, said one day: "Is there a Standard Oil Trust in this country or not? If there be such a trust, is it represented in the Cabinet at this moment? Is it represented in the Senate? Is it represented in the councils of any important political party in the country?"

It was the first time since his election, four years before, that Mr. Payne had been sufficiently touched to reply. "There is nothing whatever to sustain the insinuation which the honorable Senator conveys. I make the declaration now, for the first time, and it will be the last time I shall ever take notice of it.

"The Standard Oil Company is a very remarkable and wonderful institution. It has accomplished within the last twenty years, in commercial enterprise, what no other company or association of modern times has accomplished, but, Mr. President, I never had a dollar's interest in that company. I never owned a dollar of its stock; I never rendered it any service, and that company never rendered me any service. On the contrary, when a candidate for the other House in 1871, no institution, no association, no combination in my district did more to bring about my defeat and went to so large an expense in money to

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accomplish it as the Standard Oil Company. . . .

"As a matter of fact nine-tenths of the stockholders of the Standard Oil Company are now and always have been Republicans. Within my knowledge there are but two Democrats who have ever been stockholders in that company."

Mr. Payne's denial was not sufficient to quiet Senator Hoar. He returned to the attack. It was a "general public belief," he declared, that the Standard Oil Company was represented in the Cabinet and Senate. He called attention to newspaper charges to that effect, and declared that he had many personal letters in his desk asserting that the Standard was helping the Democrats. He asked for information when he put his questions, he said; he made no charges. Mr. Whitney was the member of Mr. Cleveland's Cabinet to whom Senator Hoar referred, and he promptly, in a public letter, disclaimed all connection with the Standard Oil Company. Mr. Hoar said he "cheerfully accepted" the denial. As to Mr. Payne, he was not satisfied, and when Mr. Payne, in heat, replied to him, Senator Hoar closed his lips forever by a burst of withering sarcasm:

"A Senator who, when the Governor of his State, when both branches of the Legislature of his State complained to us that a seat in the United States Senate had been bought, when the other Senator from the State rose and told us that that was the belief of a very large majority of the people of Ohio without distinction of party, failed to rise in his place and ask for the investigation which would put an end to those charges if they had been unfounded, sheltering himself behind the technicalities which were found by some gentlemen on both sides of this Chamber, that the investigation ought not to be made, but who could have had it by the slightest request on his own part and then remained dumb, I think should forever after hold his peace. . . . I think few men ever sat in the Senate who would refrain from demanding an investigation under such circumstances, even if it were not required by the Senate itself. . . . There were Senators who thought that the admission of that Senator, the continuance of that Senator in his seat without investigation, indicated the low-water mark of the Senate of the United States itself.

And there the Payne case rested. It was never proved that the Standard Oil Company had contributed a cent to his election. It was never proved that his seat was bought, but the fact that in the face of such serious charges, rehearsed constantly for four years, neither Mr. Payne nor the Standard Oil Company had done aught but keep quiet, convinced a large part of the country that the suspicion under which they rested was less damaging than the truth would be. In the minds of great numbers this silence was a confession of guilt. The Payne case certainly aggravated greatly the popular feeling that the Standard Oil Company was a menace to the country. Daily the demand to investigate it, as well as the train of trusts which had followed in its wake, grew. By the spring of 1888 this demand was so strong that the House of Representatives ordered an investigation of Trusts by the Committee on Manufactures. When the question was before the House the liveliest concern was shown as to whether the Standard Oil Company, "the most important case" of all, would escape. More than one member asked to be assured before consenting to the investigation that the Standard would be put on the rack. The same feeling was shown in the Senate of New York State, where an investigation was ordered for February, 1888. It was certain, indeed, now, that Mr. Rockefeller would not be let alone much longer. He was to be dragged into the open much as he might deplore it, to explain what his trust really was, to prove, if possible, to a suspicious and hostile public that he had a right to exist.

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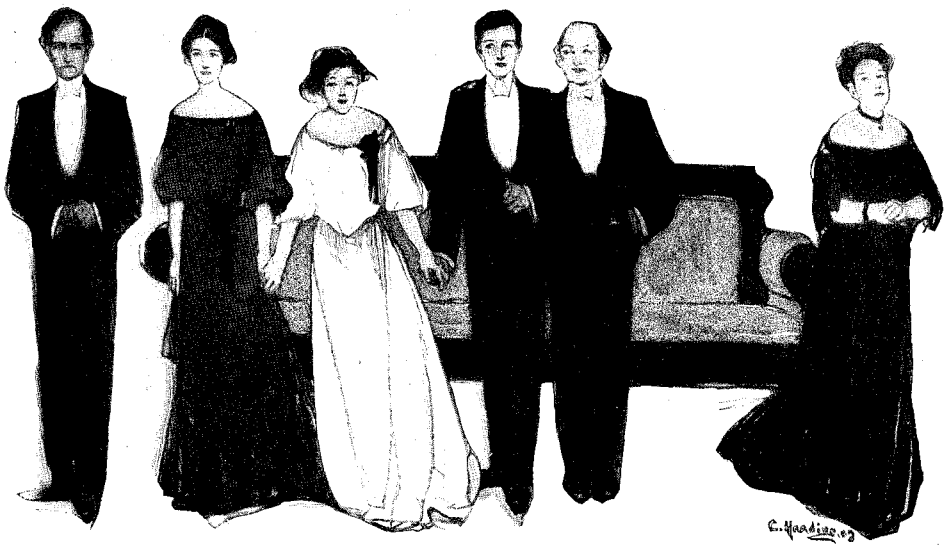

A CANDID VIOLET

BY

JEANNETTE COOPER

ILLUSTRATED BY CHARLOTTE HARDING

VIOLET stood before the little Florentine mirror in the library and viewed her reflected self from various angles. She had a much trimmed hat on her head, and a quizzically discontented expression on her face.

"I believe," she said, with conviction, "that this is the most horrible-looking hat that was ever made. Look at me, dad!"

Mr. Lord transferred his eyes, and a little later his mind, from his book to his daughter.

"I don't know very much about hats, my dear," he said, "but I think there must have been others made quite as bad."

"I should hate to think so," said the girl. "It is taking a pessimistic view of life." She turned back to the mirror and tilted the hat over her eyes with a rakish effect. Then she shoved it back until it made a blue and green halo around her clear skinned, clever young face.

"I look like something by Giotto," she said.

She tried it at several other inclines, evidently with a view to getting the worst possible effects.

"I usually look so nice in a hat, too," she observed reflectively. She straightened it up conscientiously and fluffed her brown hair about her forehead.

"No, it is too atrocious! Why did you let me get it, dad? You were with me."

"Don't you remember, Violet, your friend Miss Garrison came in, and begged you to get it, it was so becoming?"

"That's so," said Violet thoughtfully, "and I couldn't tell her what I thought of it, because she was wearing one so much like it. I wish she had been somewhere else at that particular time."

"I recall distinctly," said Mr. Lord, "that you told her you liked it very much, and that you were so glad she was there to advise you."

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"'I usually look so nice in a hat, too'"

"Did I say all that?" said Violet admiringly. "Sometimes, dad, I am filled with amazement at the perfection of my own manners. Isn't it awful this way?" She had given the hat a picturesque droop to one side and looked out from under it inquiringly.

"Vi," he said, "I wonder if I have done what was best for you?"

"In letting me take that hat? No, dad, you haven't; but then I never meant to keep it anyway, so don't let's worry about that." She put the undesirable headgear into the milliner's box that stood on the chair beside her. Then she glanced at her father.

"In every other way, you've done your whole duty. What an uncomfortable person you are! I attribute it to that clear-cut, puritanical countenance of yours. You have such a sense of the fitness of things that you are always trying to live up to your face. I am glad I don't look like you, handsome as you are." She finished tying the box and looked down at him, her face breaking into a charming smile. "Nobody could have brought up a daughter more successfully than you have, dad," she concluded.

A maid came in with a card on a tray. Violet glanced at it.

"Say that I am not well, Mary, and will have to be excused, and that I am very sorry." She caught her father's eye as the maid closed the door. "Really, I felt quite ill, dad, directly I saw her card," she said.

"Oh, Vi," he remonstrated, "why do you persist in telling those unnecessary falsehoods?"

"Unnecessary, dad! It was Mrs. Grantham! Self-preservation isn't unnecessary. I was thinking of your safety, too."

"You are too lenient with yourself, Violet. It troubles me to have you guilty of those—"

"Careful, Mr. Lord!" said Violet.

"—of those inaccuracies."

"Thank you," with a relieved sigh.

"When you were little, I used sometimes to bribe you to do right. It is not an admirable method, but I feel tempted to resort to it. I am sure that if you could go for a certain period—say even a month—without telling a lie of any kind——"

"Shame on you, dad, calling your only child a liar!"

"I am ashamed that I have allowed my only child to become——"

"Inaccurate," suggested Violet.

"If I should offer you——"

"Dad, don't you dare to offer me anything. I will do it for love of you—for one month."

"Will you, Violet? That is good. I really feel strongly on the subject, my dear. What greater ornament can womanhood wear than the jewel of absolute truth? I feel certain that one month's abstaining from the slightest falsehood—"

"Inaccuracy is a more tender word, dad."

"—will teach you to prize the truth."

"I prize it now too highly to over-use it. But"—struck with a sudden thought—"what if I forget?"

"We must make allowance for the force of habit," said Mr. Lord. "All you can do is to correct any misstatement as soon as you realize that you have made it."

"Pleasant task," said Violet, making a face, "but I'll do it. For one month you

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shall see the truth paraded without any artificial aids to make her lovelier."

She picked up the box and started for the door. "I am going to my room," she said, "to practice before a glass until I can tell the naked truth without a blush."

At the door she met the maid with another card.

"Just tell Mr. Richards, Mary, that I am engaged," she said.

"Violet!" said Mr. Lord.

She turned a startled face in his direction. "Oh, have we begun?" she said. "Didn't I say thirty days after date, dad?"

"It is best to begin immediately," said her father.

Violet turned resignedly to the maid.

"Tell Mr. Richards we are in the library, Mary," she said.

"That is the wise way, my dear."

Mr. Lord picked up the book he had relinquished and arose.

"Dad," cried Violet, "you are not going? Dick and I are not on speaking terms. You stay, won't you, so he won't ask for any explanations?"

"No, my dear, I think you are capable of managing Dick alone. I am going out a few minutes."

"And me bound to tell the truth," wailed Violet. "Dad, you can't be so mean!" She was clinging to his arm when the door opened to admit a young man who responded gloomily to Mr. Lord's pleasant greeting. Violet dropped her father's arm, and, after a frigid "Good afternoon," retired to a chair in the farther corner.

"Is your father leaving the city?" said Mr. Richards suspiciously.

"No," with slight surprise in her tone.

"You were hanging on to him as if you never expected to see him again."

"I hope I wasn't doing anything so awkward as your expression sounds," said Miss Lord with polite indifference, and the air of speaking simply because a conversation must be kept up.

"I suppose you did not want to see me alone," said Dick.

Violet wrestled with a desire to tell him that she had no more objection to seeing him alone than in company. She conquered it, and only remarked that it was very warm, she thought.

Mr. Richards betook his gloomy face and athletic figure to the corner farthest from Miss Lord. Then he stared fixedly at a blue and red hexagon on the border of the Turkish rug and cleared his throat.

"I came over," he said, "to ask you——"

Just then Violet's elbow, which rested on a table beside her, knocked off a little pile of books.

"Dear me, how awkward!" she said, and picked them up.

Dick raised his eyes from the red and blue hexagon.

"You did that to prevent my speaking," he said; "I may as well go away."

"Must you go so soon?" polite regret in her voice.

"Didn't you do it on purpose?" Dick glared at her with reproachful anger on his countenance.

"I understood you to say so," said Violet.

"There!" said Dick wrathfully. "I knew it. That is a nice thing to do!"

"Well, I don't see what it is to you," said Violet. "They are my books."

"'Shame on you, dad, calling your only child a liar!'"

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"'I am going to my room . . . to practice before a glass'"

Dick rose and stalked up and down the room, which was a difficult thing to do in a dignified manner, as the floor was polished and the rugs were small and evasive. Violet watched with inward joy as he slipped once or twice, but her face was calm and she continued to make occasional remarks about the weather. Dick stopped suddenly before her.

"I came over to ask you," and determination was in his tone, "why—" and then Violet deliberately put her elbow on the table and the blue and gold volumes went down again.

"Gracious!" she said, and bent to pick them up. "No, don't trouble," she added—Dick had not stirred—"I'll have them up directly." She raised her face, flushed with stooping, innocently to his.

"Why should I pick them up? You knocked them off on purpose."

"Why should you, indeed? I urged you not to."

"Did you knock them off on purpose?"

"How you repeat!"

"Did you?"

"I did."

Dick pulled up a chair before her and sat down.

"I came over to ask you," he began again, and a careless sweep of Miss Lord's arm again precipitated the unfortunate books to the floor.

"Gracious!" she said again.

It took her a long time to pick them up and her face was redder than before as she replaced them carefully on the extreme edge of the table.

An unwilling grin came over Dick's face. He got up and carried the little pile of books to the mantel. Then he returned:

"I came over, Violet——"

"How did you come, Dick?" said Violet hurriedly.

"In a cab. Why?"

"Oh, I thought you might have come in an automobile."

"What's the difference?" impatiently.

"Why, Dick, there's lots of difference between a cab and an automobile. An automobile hasn't any horse, you know."

She arose with easy grace and strolled over to the mantel.

Dick crossed the room in two strides, took the books from the mantel and, after looking vaguely around the room for a safe place, opened the door and deposited

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them on the floor outside. Then he reclosed the door and returned to Violet who was watching him with tolerant surprise. Dick spoke all in one breath.

"Violet, I came over to know why you gave Frank Craven two dances you had promised me."

"Did I promise you two dances?" inquired Violet. "Oh, yes, I mean — I know I did," she added, with a hasty remembrance of her vow.

"Of course you know you did. Violet, why did you give Frank Craven those two waltzes?"

"I gave them to Frank Craven because nobody except you and Frank Craven asked me for them."

"And you preferred Craven to me?" It would have been difficult to tell whether rage or chagrin predominated in Dick's tone. "The mere fact of having promised me, of course, counted for nothing."

Violet remained silent, and Dick came a step nearer, threateningly.

"Why did you throw me over, Violet?" he demanded.

"Why, Dick," began Violet glibly; then she came to an abrupt pause. "Because," she continued slowly and with a do-or-die expression, "you danced twice with Kittie Garrison." ("How I would love to kill dad," she thought vindictively.)

Over Dick's handsome but erstwhile darkened face a glow began to break.

"Do you mean, Vi," he began eagerly, but fearfully, "that you really cared because I danced with Kittie?"

"No," said Miss Lord with emphasis.

The gleam on Dick's face became overcast.

"Then why were you angry?" he said.

"Because you danced twice with her," said Violet.

Dick came closer; the sun was out again.

"You know I don't care for Kittie," he said happily.

"Don't you?" said Violet. "How sad for her!"

But Dick was too ecstatic to be affected by sarcasm. He was now very close to Violet, looking down at her with loving satisfaction, and then, as she remained silent, he suddenly put his arm around her shoulders and kissed her.

"Dick Richards!" cried Violet, and she stood afar off and glared at the young man.

"'Dear me, how awkward!'"

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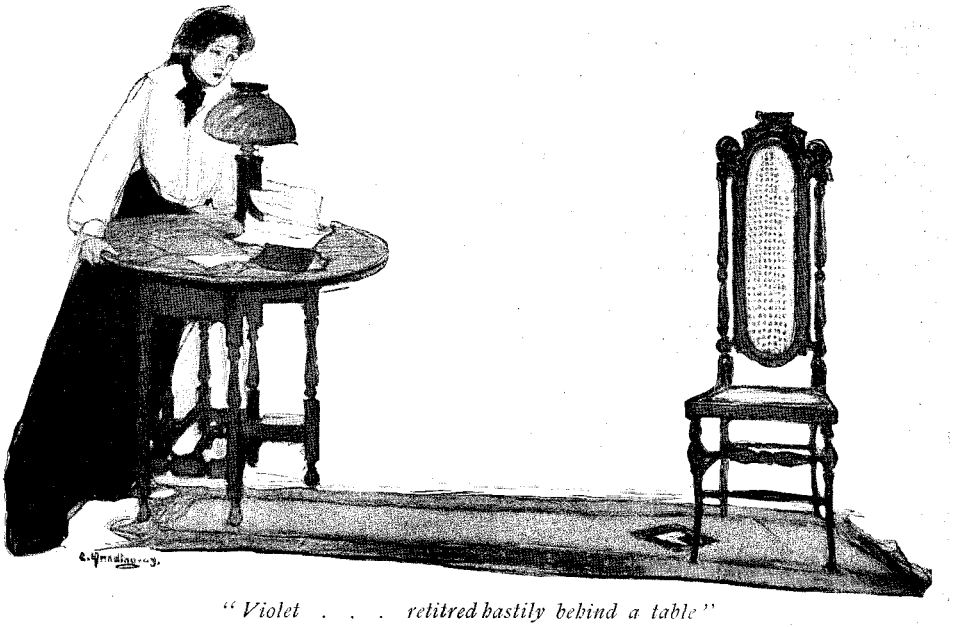

"Violet . . . retitred hastily behind a table"

"Forgive me, Vi," he stammered contritely. "You were so sweet it went to my head. Are you very angry?"

"Yes," cried Violet explosively; "oh, at least——"

"Weren't you angry, Vi?" cried Dick eagerly.

"That's what comes of having a parent," said Miss Lord with exasperation.

"What?" said Dick, puzzled naturally enough by the irrelevance of this remark. "But were you, Violet?"

"Oh, gracious!" said Violet impatiently; "wait a minute, can't you, until I can find out."

"Until you can find out? What's got into you, Violet? You say such queer things."

"If he'd only think I was delirious," thought Violet.

"Were you angry, Violet?"

"What a one-idea'd person you are, Dick!"

"I am. You are my one idea and my one ideal," responded Dick promptly. "Were you angry, Violet?"

"Well, how would you expect a girl with any self-respect to feel?"

"I don't know—girls are so queer!"

"Oh, indeed; you have had experience. How did the other girls act?"

"There never were any other girls," said Dick

"Now I wonder if that's true," thought Violet. "There are certain advantages about truth-telling—advantages to the other party."

"Did you hear about the Smither's burglar, Dick?" she said.

"Violet, were you angry?" said Dick.

"You are positively maddening," said Miss Lord, with exasperation. "No, I wasn't, but——"

"Well, then—" interrupted Dick, advancing.

Violet, with threatening eyes, retired hastily behind a table; and at that instant the door opened and Mr. Lord, with an unusual animation in his appearance, ushered in a tall, slight, beautifully dressed woman.

"Vi, my dear," he said, with pleasurable excitement in his voice; "I have just very unexpectedly and very delightfully come across an old friend. Edith, this is my little girl. Miss Marshall, Violet."

Violet, somewhat flushed, but with her usual ease and amiability, came out from behind the table and shook hands with the visitor. Then Dick, looking more or less embarrassed, but still very happy, was presented.

"This is Tom Richards's boy," Mr. Lord explained to her. "You remember Tom?"

"Indeed I do," said Miss Marshall.

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"And he you, I know," said Dick. "I have often heard him speak of you." Dick's freedom of speech was unfettered by an over-conscientious parent.

"It was the most fortunate thing for me," explained Mr. Lord. "I just chanced to be going down the steps as Miss Marshall's carriage stopped next door. I could hardly believe in my own good luck. Fifteen years it is, Edith, since I last saw you."

"Fancy your knowing me," said Miss Marshall, smiling. "It was exceedingly nice of you." She had an interesting, rather unusual face, and humorous gray eyes. There was a certain charm about her, easy of realization, but difficult of analysis.

"You look just as you did fifteen years ago," declared Mr. Lord.

"Dad's a good one to deliver lectures on truthfulness," commented Violet to herself. Dick's triumphant face was a grievance.

"Oh, I hope not," said Miss Marshall. "Not just the same. That would mean fifteen very lethargic years, wouldn't it? I like to feel that I have done my part, and remembered my cues in this difficult play of Life." Then she turned to Violet. "I hope, Miss Lord, that you won't be shocked at my lack of conventionality in calling on you."

"I like unconventionality," said Violet, "especially when it leads to such pleasant things."

"Thank you," said Miss Marshall, looking with frank interest and admiration at the young girl; "that is a very charming little speech. She is like you and yet unlike you, Howard," turning to Mr. Lord.

"Comparing and analyzing as of old," said Mr. Lord, with a slight smile, and Miss Marshall laughed and nodded acquiescence.

Mr. Lord turned to his daughter.

"Miss Marshall is in the city for a few days only, Violet," he said. "I want you to find out when she can come to us for dinner."

"Oh, yes," said Violet, "what day would suit you best, Miss Marshall? We have our evenings about free for the week. To-morrow?"

"Not to-morrow," said Miss Marshall; "but Thursday, if that suits you, I shall be very glad to come."

"Thursday, then, we shall expect you," said Violet. "We must ask Mr. Richards, dad."

"Certainly," said Mr. Lord. "Dick, you will join us?"

"I mean Mr. Thomas Richards," said Violet distinctly.

"Oh, yes, we must ask him, of course. You write him a note, Vi."

"We won't make it a party, Miss Marshall," said Violet. "Just the four of us, so that you can talk over old times with Mr. Richards and dad."

"'I do mind speaking to the cook'"

"Five of us, my dear," interposed Mr. Lord. "Dick, you can be here?"

"Delighted!" said Dick, heedless of the low temperature of Violet's glance.

Miss Marshall rose to go, and Mr. Lord went out with her to the carriage. Dick, coming back from a final bow at the door, found himself alone, and after waiting hopefully for half an hour, and wrathfully for another half hour, he decided that he might as well go home, which he did; and

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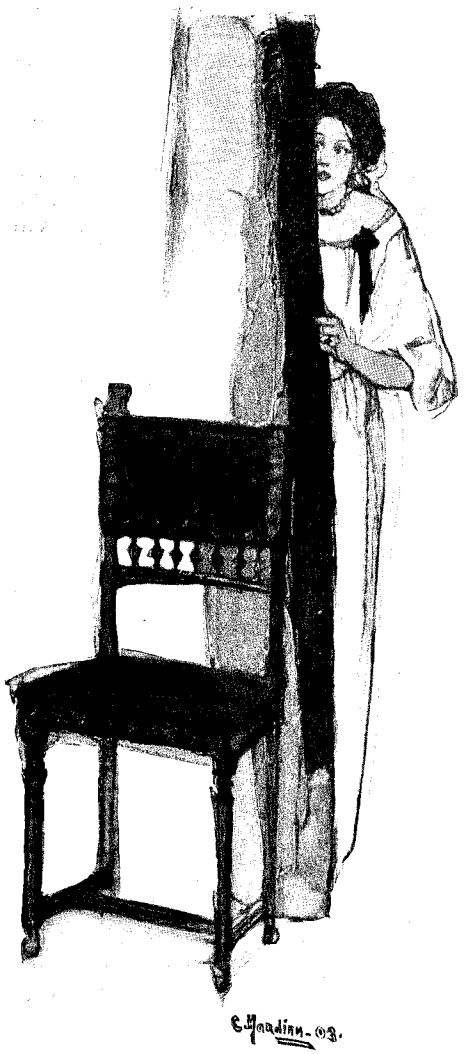

"'It wasn't true, Dick'"

Miss Lord, viewing from her chamber window his irate departure, felt temporarily comforted.

By the time Thursday evening came, resentment and chagrin held firm possession of Violet's mind. Dick had managed to obtain another interview and had extracted further damaging admissions, to his unbounded surprise and happiness, for in all the years that he had worshipped at her shrine, he had never had so much encouragement.

"When this month is up, I shall never tell the truth again," she said energetically, as she pulled her brown hair looser on her forehead and took a hand-glass to see how the back view stood affected. Then she tried the effect of a deep blue velvet bow on the pale blue of her gown. "No," she repeated; "I shall never tell the truth again after seeing the harmfulness of it." She decided to wear the bow and pinned it on her corsage against her white shoulder. "What a pity that dad's ancestry has such a hold on him! I shall not speak to Dick to-night except when Miss Marshall is looking, and of course, then I shall have to. If I don't tell him any fibs I won't have to take anything back, and I never promised to answer every question that was put to me. What a pity I did not think of that sooner!" She moved back to get a comprehensive view of herself in the glass. "The idea of his accepting an invitation to this house that I did not second; he is getting altogether too emancipated."

She turned her back to the mirror and looked over her shoulder at the sweep of the blue train. "You look very well, my dear Miss Lord," she said. "Dad will be pleased. How fond he is of that Miss Marshall! She does look nice. Funny she's an old maid. She must be one of those that have achieved spinsterhood. I'm sure she never had it thrust upon her. Coming, dad!"—for his voice came up to her from the lower hall.

"I knew you must be dressed," he said, looking her over with some pride as she rustled her blue draperies down the wide stairs. "Lack of punctuality isn't one of your faults."

"I have no faults now," said Violet.

"No?" He smiled at her a little doubtfully.

"I say, dad," said Violet, "you don't think it would be well to shorten that month a little or to put in a few vacations or something?"

He shook his head, the austere look coming over his face.

"All right," said Violet. "I'll see it through."

Mrs. Grantham came in just then—came in unannounced, as was fitting in the Friend of the Family. She had posed as this so long that she had convinced most of their mutual acquaintances of the validity of her claim. Even the father and daughter had moments of wondering whether they and the widow were not really bosom companions.

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Violet had invited her in a youthful and soon-regretted impulse to get even with her father for asking Dick.

"It was good of you to come on such short notice," she said, with a cordiality that covered remorse. "The dinner was very impromptu. Dad has an old friend in town for a few days only."

"I am always glad to come when you need me," said Mrs. Grantham, and her affectionate smile included them both. "If you'll never tell," with an arch look and a rattle of the shiny little jets that covered her gown, "I broke another engagement to come here. It was dreadful, wasn't it? but I just said to myself, 'If Mr. Lord and Violet need me, I am going there.'"

"It was very good of you," said Violet again.

"And who is this old friend that I am asked to meet?" demanded Mrs. Grantham. "Somebody, I suppose, with whom you used to go swimming and robbing birds' nests, and all that."

Violet's clear low little laugh broke out.

"Not exactly," began Mr. Lord; "my old friend ——"

"Miss Marshall," said the servant at the door, and, as a tall slender gray-gowned woman swept into the room, Mrs. Grantham had no trouble in deciding from her host's face that this was the old friend. She waited, gently smiling, until she and the stranger were presented to each other, and then she put into her greeting a delicate warmth of welcome that asserted her position as the intimate adviser of the household.

"Did I understand Violet to say *Miss* Marshall?" she queried, with her black eyes and her black pendants all twinkling at the lady as she still held her hand.

"Yes," said Miss Marshall with a latent laugh in her gray eyes.

"Ah," said Mrs. Grantham, and the little sound was very amiable. If she had only an old maid to fight against she could go smiling into the fray. She had had a startling impression as the graceful figure entered that it was a young widow — but an old maid! She would not need the heavy artillery at all: a few light guns would be ample.

"Isn't Violet a brave little girl to get up a dinner on the spur of the moment?" she said, "and she is not exempt from troubles with her cook any more than the rest of us — but that is a trouble that you are spared of course, Miss Marshall." The bangles gave another amiable rattle. "Poor Vi, I was so glad that I could get off from my other engagements to-night and come over. Her little note sounded almost pathetic —" and just as Violet was about to interrupt and deny any occasion for pathos, the elder Richards burst into the room.

"Vi, my dear, how do you do?" He shook her hand, signified his approval of her appearance by an admiring wink, and turned to Miss Marshall.

"Edith Marshall!" he said. "Well, well, but I am glad to see you. I thought you had forsaken the Land of the Free for good. You've lived abroad for years, haven't you?"

"Yes, except for an occasional flying trip home," said Miss Marshall, who seemed much amused over Mr. Richards and much pleased to see him. "I feel rather ashamed of it, so don't take me to task."

"Not I!" cried Mr. Richards. "I'm too glad to see you to take you to task for anything." And then the three fell into a train of reminiscences, while Dick murmured foolish things at Violet's elbow and the Friend of the Family smilingly bided her opportunity.

"I don't want to be left out of all those nice times that you are bringing up," she broke in presently with a playful suggestion of a pout. "Can't I hear them too? I wonder if they are any of the funny things that you told Violet and me one evening?" she appealed to Mr. Lord.

Mr. Lord could not remember the evening but he did not say so, and Mrs. Grantham led the conversation by skillful gradations away from youthful memories to present-day affairs. Mr. Lord realized helplessly that things were not going as he had intended. All the easy friendliness was vanishing from Miss Marshall's manner. He was used to depending on Violet in social emergencies and she seemed oblivious of any responsibility.

"Edith," he said, "I want to show you that portrait of Uncle Abner Tyler that we were speaking of. The rest of you have seen it" — he turned politely, but not invitingly, to the others.

"Oh," exclaimed Mrs. Grantham, with an enthusiasm which jingled every jet, "it is the dearest old picture, Miss Marshall. You must notice the odd effect of

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the light on the left side of his forehead. I always feel that Violet and Mr. Lord are too modest to point out the beauty of their family portraits." It was she who led the way to the library, and it was she who dilated on the character of Uncle Abner Tyler.

Miss Marshall listened with the air of one a little apart from the group but politely interested, and Mr. Lord relapsed into unhappy silence and wondered why dinner was not announced and why Violet did not put things right as was her wont.

Violet seemed unconscious of the lateness of the hour. In reality she was not, but, with Dick seizing every opportunity to make low-voiced tender inquiries implying that she was jealous of Kittie Garrison, her feelings were not of undivided sympathy for her father. If he was having a bad time, so was she, and it was none of her fault. Why must she suffer for the virtues of her ancestors?

"You may well feel flattered, Miss Marshall," Mrs. Grantham was saying, "if our dear Violet asked you to dinner after a half hour's acquaintance. Violet has the greatest aversion to strangers; haven't you, Violet?"

Violet caught her father's anxious eyes, which, however, had less to do with her answer than a righteous desire to thwart Mrs. Grantham.

"I should certainly not consider an old friend of my father a stranger," she said, with a charming smile at Miss Marshall.

"Of course not," said Mr. Lord, with relief.

"That is very kind of you, Miss Lord," said Miss Marshall, but there was a reserve in her tone.

"Violet," said Mr. Lord; "isn't dinner a little late?"

"It is, dad," said Violet.

"Not a bit," said Mr. Richards. "It isn't time for dinner yet, Violet."

"I am afraid it is, Mr. Richards," said Violet.

"Well, well, we are all old friends together. What difference does a little delay make?"

"If it doesn't grow into a long delay," said Mr. Lord.

"If you'll excuse me a moment," said Violet, "I'll see what can be done about it."

"I wouldn't bother, my dear," said Mr. Richards.

"Oh, I don't mind speaking to the cook," said Violet. She started to go out, and then came back. "I do mind speaking to the cook, Mr. Richards," she said, and went out again.

"What?" said Mr. Richards.

"It is of no consequence," said Mr. Lord.

"Why not have a four-handed game, Lord," said Mr. Richards, who always proposed cards if there happened to be an unoccupied fifteen minutes. "Just to set Violet's mind at rest. Poor little girl, you've worried her about the dinner."

"If the ladies would care to," said poor Mr. Lord.

The ladies were agreeable, and Violet, coming back, found them at the card table, and Mr. Richards happily dealing.

"Well, my dear little housekeeper," cried Mrs. Grantham, "now just what is the matter? I wager I can guess." She smiled at one after another.

"Are you trying to forget the pangs of hunger with cards?" Violet said.

"Now you can't put me off that way," Mrs. Grantham cried gaily. "Give me three guesses."

"Mrs. Grantham seems to have forgotten herself," thought Mr. Lord.

"Why doesn't that old woman tend to her cards," thought Dick, "and let Violet alone?—I can't get a word with her."

"Your lead, Mrs. Grantham," said Mr. Richards.

"In a minute; I must prove my wonderful powers of second sight. Violet, tell me, isn't your cook angry because you had company on her day out?"

"Yes," said Violet.

"By Jove!" said Mr. Richards. "Mad, is she? Humph! Well, well! Don't you care a mite, Violet." He tried hard not to look hungry. Miss Marshall was arranging her cards. Mrs. Grantham was all gay sympathy.

"Where is she, Vi?" said Mr. Lord.

"She's in her room," said Violet. "She's drunk."

Mr. Richards burst into a roar of laughter.

"The horrid woman," said Mrs. Grantham; "but we all know how a cook has to be handled."

"The housemaid is finishing the preparations," explained Violet. "It won't be very long now, dad. I am very sorry."

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"You poor little thing," cried Mrs. Grantham. "As if you could help it. Cooks are all alike. Any one that has an establishment of her own can feel for you; and I am sure Miss Marshall will forgive the delay."

"I am afraid the fault is mine for selecting a day which interferes with Miss Lord's household arrangements," said Miss Marshall, and Mr. Lord could recognize the very tone in which she had refused to listen to his explanations the last time they quarreled, twenty-three years ago. He had never forgotten it, though they had become friends again after he married.

"Not at all, Miss Marshall," Vi was saying; "at least — please don't think of it."

"Now run away, children," said Mr. Richards, "while we finish this game. Vi, I know your dinners. They are better with a drunk cook than other folk's with a sober one."

"Thank you," said Vi. "This is to bribe me not to interrupt the game farther — I am going immediately." She moved away and Dick followed her willingly.

"Violet," he said, as soon as they were out of hearing, "won't you give me a little hope?"

"Oh, yes," said Violet, cheerfully; "I think it will be ready in an hour. Are you very hungry?"

Dick looked reproachful and Violet laughed.

"I'll go hurry it up, Dick," she said, and went away to the kitchen.

"That girl is a wonder," soliloquized Dick. "She's got me at arm's length again and I'm blessed if I can see how she did it. Looks straight at me and says nothing."

Mr. Lord had been making one or two ineffectual efforts to get away from the card table to speak to Violet, but Richards senior kept him sternly at task. Now he made a determined bolt for Dick. Edith's polite unfriendliness was too much for him.

"I'll be back immediately, Richards," he said. "I must speak to Dick."

He seized Dick by the arm and began with desperate haste to explain the situation. Dick listened in blank amazement.

"It is your play, Lord," called old Richards.

"Coming. Very sorry — important," said Mr. Lord distractedly. "Dick, tell Vi if she can smooth things over I'll never ask her to promise anything again. Tell her the bargain is off. Tell her I desire her to tell — to tell anything — that is necessary to put things on a proper footing. She can make anything right if she puts her mind to it."

"You mean," said Dick, for the fourth time, "that she agreed to tell the absolute truth?"

"Yes, yes," said Mr. Lord, "but tell her, Dick — Yes, coming Richards."

"And if she tells a taradiddle she has to take it back?" said Dick, and a deep joy was growing in his face.

"Yes — but tell her it is ended. She has my sanction for anything. Tell her, Dick — Yes, I am here. What's trumps?"

Dick, left alone, smiled. "That's why she does not answer me," he soliloquized. "Now if I can provoke her to a fib she'll have to take it back. She's game all right. She'll stand by a promise. What an old Betty Lord is to think there was anything wrong about that girl's little pleasant speeches. Well, he's seen a light, poor chap. Now, how would I best proceed?" He tried to plan his campaign but he had it only vaguely outlined when Violet returned.

"How's the cook?" said Dick.

"She's asleep, but the dinner is coming on," said Violet, surprised at the prosaic nature of the question. "Poor dad, he's distressed."

She looked so pretty in her sympathy for her father that Dick forgot his rôle.

"Violet, dear," he began tenderly, "won't you say something nice to me before I go away?"

Violet's eyes were on the portrait of Uncle Abner Tyler. Dick waited vainly for a reply.

"You are too tired to even talk, aren't you?" he said.

"I am not tired at all," replied Miss Lord, "but it is a wonder I am not," with an implication that any one might read.

"Yes, a drunk cook is wearing." Dick spoke with ready sympathy.

"I wasn't thinking of the cook."

"Well, that's wise," cheerfully. "Never let your mind dwell on inebriates."

"There are things harder to put up with than drunkenness," said Violet.

"I don't know of anything worse, unless it is lying," returned Dick. "I think lying is a terrible evil, don't you?"

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"No, I think it is a harmless and agreeable pastime."

Dick concealed a smile and reflected that he wasn't making much headway.

From the card table came the sound of Mr. Richards's voice counting up the score.

"They will be through directly," thought Dick desperately. He essayed a few of the most aggravatingly tender things he could think of, but Miss Lord sat in unheeding calm, apparently lost in admiration of her great uncle's pleasing portrait.

"Violet," he began, as a forlorn hope, "it is said that silence gives consent, so I know that I am justified in believing that you care for me."

Miss Lord's self-control might have been proof against this inane remark, but he supplemented it by taking masterful possession of her hands and adding with perfect assurance: "Don't you, darling?"

"I do not!" said Miss Lord, and rose with wrathful haste. Then, realizing her mistake, she went over and sat on the piano stool and tried with some show of success to make herself believe that she had told the truth.

And Dick sat still on the little sofa before the portrait of Uncle Abner Tyler and felt very much ashamed and very miserably certain that he had spoiled whatever chance he might have had. The game was ended. His father was, as usual, explaining what would have happened if he had not made some particular play.

"It is all over," thought Dick. "All I can do is to go away where I can't see her going about with Craven," and then a low, hurried, half-smothered voice said, "It wasn't true, Dick," and Dick, dazzled by sudden radiance, looked up to see nothing but a gleam of pale blue vanishing into the dining-room.

He rushed after it, and found Miss Lord safely located on the other side of the long table, ostensibly arranging flowers, but with a wary eye out for encroaching young men. With a happy heart, but a calmly respectful manner, he addressed her:

"Your father wished me to tell you, Violet," he began, and her eyes widened with astonishment, "that he released you from your promise, and that he wished you to use your wonderful tact" — Dick was displaying a fair amount himself — "in making Miss Marshall feel sure of her welcome. He said you were to do anything that you thought best."

"How long have you known this?" demanded Violet.

"About fifteen minutes," responded Dick with abject contrition.

"Well!" said Miss Lord, actually speechless. She stood staring at him without a word — and he stared back at her anxiously. Presently she spoke, and there was a malicious light in her eye, and she gave a little nod to emphasize her promise.

"I'll make it all up to you, Mr. Richards," she said.

"You can't take away the things I know," Dick answered stoutly, and he started determinedly for her side of the table. She gathered up her blue train, but flight was unnecessary. The door behind her opened. A voice made itself heard. Dick came to a stop and said something under his breath, but it was not the personage he mentioned. It was the housemaid to announce the dinner.

All through that dinner, which was uncommonly good, as Mr. Richards repeatedly remarked, Mrs. Grantham found it impossible to escape the younger Mr. Richards's devoted attention; for the younger Mr. Richards had had his orders, delivered briefly and calmly in the security of the housemaid's presence. He even went without his after-dinner cigar and accompanied the ladies to the library where he drove Mrs. Grantham to homicidal desires by the persistency with which he told her idiotic tales of college escapades, while Violet and Miss Marshall sat together on a sofa at the other end of the room and talked confidentially and uninterruptedly, except for occasional bits of laughter from the older woman. Mr. Lord joined them when he came in from the dining-room.

"What has my little girl been telling you, Edith?" he said.

"The truth, Howard, the entire truth," she said with laughter in her voice. "She is too delightful, this little girl of yours. I would not try to change her." She smiled in friendly fashion at the serious handsome face above her. "I want her to come to me for a visit this winter," she went on. "You will let her go, will you not?"

"If I may go to bring her home when the visit is ended," said Mr. Lord.

Miss Marshall hesitated for just an instant. "I think you may," she said, "if Violet wishes it."

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WHEN A MAN'S WIDOWED

BY

MYRA KELLY

AUTHOR OF "A LITTLE MATTER OF REAL ESTATE," ETC.

ILLUSTRATIONS BY W. D. STEVENS

IT was a quarter past nine and Miss Bailey was calling the roll, an undertaking which after months of daily practice was still formidable. Beginning with Abraham Abrahamowsky and continuing through the alphabet to Solomon Zaracheck, the roll-call of the First Reader Class was full of stumbling blocks and pitfalls. Teacher insisted upon absolute silence during the five minutes thus consumed, and so it chanced that the excitement of Miss Blake, bursting into Room 18 at this particular time, was thrown into strong relief against the prevailing peace.

"Miss Bailey," began the ruffled sovereign of the room across the hall, "did the Principal speak to you about one of my boys being put back into your grade?"

"Oh, yes; some weeks ago."

"Well, he has been absent ever since, but he turned up this morning. Are you ready to take him now?"

"But, of course— How old is he?"

"Nearly seven. Too old for your grade and too advanced, but the Principal wants you to have him because my boys laugh at him. His mother is dead, his sisters in an orphan asylum, and we thought that your little girls might have a civilizing influence over him."

"Perhaps they may," Teacher cheerfully acquiesced. "Eva Gonorowsky alone would civilize a whole tribe of savages. Will you give him to me?"

The door of Room 17 was not quite closed, and from behind it came sounds of talking and of laughter. Miss Blake threw a few words upon the turmoil, and silence immediately ensued. Then said she: "Isidore Diamantstein, come here," and the only result was a slight titter.

"Abie Fishhandler," she next commanded, "bring Diamantstein to Miss Bailey's room."

The tittering increased and to it were added a scuffle and a sleepily fretful "Lemme be." A heavy footstep crossed the hall and the stalwart Abie Fishhandler stalked into Room 18, bearing the new boy in his arms. From his dusty unlaced shoes to his jungle of gleaming red hair, Isidore Diamantstein was inert, dirty, and bedraggled.

"Oh, let him stand!" cried Miss Blake sharply. "Here, Diamantstein, what's the matter with you? This is Miss Bailey, your new teacher."

"How do you do, Isidore," said Miss Bailey as she stooped and took his hand in hers. Then she added quickly to Miss Blake: "He seems feverish. Is he ill?"

"Perhaps he is," the other answered. "I never saw him so queer as he is this morning. You'd better let the doctor see him when he comes."

But long before the eleven o'clock visit of the physician of the Board of Health, the illness of Isidore had reached its crisis. When Miss Bailey had established him in his new place he had seen nothing of his surroundings and had been quite deaf to the greetings, whether shy or jeering, with which the First Reader Class had welcomed him. Left to his own devices, he had promptly laid his arms upon his desk and his head upon his arms. Five minutes passed. Ten minutes. Isidore's brilliant head still rested on his folded arms and Teacher felt that she must make some effort to comfort his wordless misery.

"Isidore," she began, bending over him, "you won't have to stay here very long. You may go back to Miss Blake in a few days if you are good. So now,

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dear boy, cheer up!" But as she patted the shoulder nearest to her a long sigh quivered through the little body.

"Now, don't do that," Miss Bailey urged. "Isidore, sit up nicely and let me look at you," and, slipping her hand beneath the chin, she turned the face up to hers.

She was prepared for tear-drenched eyes and trembling lips but she found neither. Isidore's dark-lashed lids drooped heavily over his unseeing eyes, his head rolled loosely from side to side, and he began to slip, silently and unconsciously, to the floor.

Teacher, in wild alarm, bore him to an open window and sent Patrick Brennan in flying search of the Principal. A great revulsion shook her whenever she looked at the blank little face, but she never guessed the truth. Patrick's quest was short and the Principal's first glance sufficient.

"Send for the janitor," he commanded, and then, "Miss Bailey, may I speak to you in the hall?"

Teacher invested Morris Mogilewsky in the chair and the position of authority, sent Patrick for the janitor, and, strangely shaken, followed the Principal.

"What is it?" she asked, miserably, when the door was closed. "What is the matter with that baby?"

"Well," said the Principal kindly, "if you were more experienced you would be less shocked than I fear you are going to be. The child is simply and most abominably drunk."

"Drunk!" gasped Miss Bailey. "Drunk! and not seven years old!"

"'He ain't a bad boy. He sure ain't'"

"Drunk," echoed the Principal. "Poor little chap! Did Miss Blake tell you the history? — The mother dead, the father away all day, no woman's care. Of course, the end will be the reformatory, but I wonder if we can do anything before that is reached?"

"Oh, it can't be quite hopeless!" cried Miss Bailey. "Please give him to me. But I want to see that father."

"So you shall," the Principal assured her. "I shall send for him to-morrow to explain this. But he will be entirely at sea. I have him here every two or three weeks about one or other of his children —

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there are two boys in the upper grades — and the poor devil never can explain. However, I shall let you know when he is here."

The morrow proved the Principal's surmise to have been correct. Mr. Lazarus Diamantstein stood in helpless and hopeless misery before a court of inquiry comprising the Principal, Miss Bailey, the physician of the Board of Health, a representative of the Gerry Society, the truant officer, the indignant janitor, and a policeman who had come to the school in reference to the florid language of his own small son, and, for scenic effect, was pressed into service. Mr. Diamantstein turned from one to another of these stern-eyed officials and to each in turn he made his unaltered plea:

"Mine leetle Izzie was a goot leetle boy. He don't never make like you says. Ach! never, never!"

Again, for effect, scenic or moral, the Principal indicated one of the hostile figures of the court. "This gentleman," said he, "belongs to a society which will take charge of your son. Have you ever, Mr. Diamantstein, heard of the Gerry Society?"

Poor Mr. Diamantstein cowered. In all the terrifying world in which he groped so darkly, the two forces against which he had been most often warned were the Board of Health, which might at any time and without notice wash out one's house and confiscate one's provisions; and the Gerry Society, which washed one's children with soap made from the grease of pigs, and fed them with all sorts of "traef" and unblessed meat.

"Ach, no!" he implored. "Gott, no! You should not take und make so mit mine leetle boy. He ain't a bad boy. He sure ain't."

"Really, I don't think he is," Miss Bailey's cool and quiet voice interposed, and in a moment the harassed father was at her side pleading, extenuating, fawning.

"That young lady," said the Principal, "is your only hope. If Miss Bailey —" Mr. Diamantstein interpreted this as an introduction and bowed most wonderfully. "If Miss Bailey will keep Isidore in her class he may stay in the school. If not, this gentleman — By the way, Miss Bailey, is he at school to-day?"

"Oh, yes, and behaving beautifully. Perhaps his father would care to see him. Will you come with me, Mr. Diamantstein?"

Yearnings to see the cause of all this trouble and sorrow were not very strong in the paternal bosom, but Mr. Diamantstein welcomed the opportunity to escape from officialdom and inquiry.

As she led the way to Room 18, Teacher was again impressed by the furtive helplessness of the man. Living in a land whose language was well-nigh unintelligible to him, ruled and judged by laws whose existence he could learn only by breaking them, driven out of one country, unwelcome in another, Mr. Diamantstein was indeed a wanderer and an outcast. Some note of sympathy found its way into Miss Bailey's efforts at conversation, and Mr. Diamantstein's quick ear detected it. The vision of Isidore in his new surroundings, the pictures and flowers, the swinging canary and the plaster casts, impressed him mightily, while Miss Bailey's evident and sincere interest in his efforts to do what he could for his boys took him entirely by surprise. He admonished Isidore to superhuman efforts towards the reformation which might keep him in this beautiful room and under the care of its lady, and, as he was about to return to his neglected sewing-machine, he gave Miss Bailey all he had to give:

"Say, Teacher," said he, with a wistful glance at his frail little son; "say, you *want* to lick Issie? Well, you can."

"Oh, thank you very much, Mr. Diamantstein," returned Miss Bailey, while Isidore, thus bestowed, wept aloud, and required instant soothing. "That's very good of you, but I hope it won't be necessary."

"Well," said the father generously, "so you *want* lick, so you *can* lick." And so departed.

Miss Bailey's new responsibility continued to behave beautifully. He was peacefully disposed towards the other boys, who feared and venerated him as a member of the "Clinton Street gang." He fell promptly captive to the dark and gentle charms of Eva Gonorowsky and to the calm dominion of Teacher. To the latter he showed a loving confidence which she met with a broad-minded tolerance very wonderful to his eyes in a person of authority. She seemed really to understand the sweet reasonableness of the

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"'So you want lick, so you can lick'"

reminiscences with which he entertained her. And if she sometimes deplored the necessity of so much lying, stealing, fighting and late hours, well so, of late, did he. She asked him quite calmly one day what he had had for breakfast on the morning of his first day in Room 18, and how he had chanced to be so drunk, and he, with true economy, answered two questions with one word:

"Beer."

"And where," asked Teacher, still carefully unimpressed, "did you get it? From your father?"

"Naw," said Isidore, whose manners were yet unformed. "He don't never get no beer. He ain't got a can even."

"Then where?"

"To the s'loon."

"And which saloon?" Miss Bailey's quiet eyes betrayed no trace of her determination that the proprietor should suffer the full penalty of the law. "I thought little boys were not allowed into saloons."

"Well," Isidore admitted, "I ain't gone *in* the s'loon. I tells the lady on our floor that my papa likes she should lend her can, und she says, 'He's welcome, all right.' Und I gives the can on a man what stands by the s'loon, und I says: 'My papa he has a sickness, und beer is healthy for him. On'y he couldn't to come for buy none. You could to take a drink for yourself.' Und the man says, 'Sure.' Und he gets the beer und takes the drink — a *awful* big drink — und I sets by the curb und drinks what is in the can. It's awful nice for me."

Miss Bailey's hope for any real or lasting moral change in Isidore was sadly shaken by this revelation. Six and a half years old and deliberately plotting and really enjoying a drunken debauch! Surely, the reformatory seemed inevitable. Suddenly she became conscious that the chain of circumstance in Isidore's recital was not complete.

"But the money," she asked; "where did you get that?"

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Isidore's eyes were wells of candor as he answered: "Off of a lady."

"And why did she give it to you?"

"'Cause I tells her my mamma lays on the hospital und I like I should buy her a orange on'y I ain't got no money for buy none."

"Oh, Isidore!" cried Teacher, in a voice in which horror, pity, reproach and wonder mingled. "And you have no mother!" And Isidore's answer was his professional whine, most heart-rending and insincere.

Gradually and carefully Teacher became slightly censorious and mildly didactic, and slowly Isidore Diamantstein came to forsake the paths of evil and to spend long afternoons in the serene and admiring companionship of Morris Mogilewsky, Patrick Brennan, and Nathan Spiderwitz. But when, early in December, he found a stranded comic valentine and presented it, blushingly, to Eva Gonorowsky, Miss Bailey felt that success was indeed most sweet.

Mr. Diamantstein's visits to the school, directed with patient futility to the propitiation of the teachers of his older sons, always ended in a cheering little talk with the young ruler of Room 18. To her he confided his history, his difficulties, and his hopes. In return, she gave him advice, encouragement, and, in moments of too pressing need, assistance. The need of this kind was, however, rare, for Mr. Diamantstein was an expert in one of the more difficult branches of the tailor's art, and his salary better than that of many of his fellows.

Shortly after the incident of the valentine Mr. Diamantstein came to Room 18 in radiant array. His frock coat was new and of a wondrous fashion, his tan shoes were of superlative length and sharpness of toe, both his coat and vest were open to the lowest button and turned back to give due prominence to the bright blue shirt beneath. His hair shone in luxurious and oiled profusion, and in the collarless band of his shirt a chaste diamond stud, not much larger than a butter-plate, flashed and shimmered through his curled black beard. It was luncheon time, and Teacher was at liberty.

"Say, Missis Pailey," he began, "what you think? I'm a loafer."

"Did you give up your position?" asked Miss Bailey, "or did you lose it? You can easily get another, I hope."

"You not understand," cried the guest eagerly. "I was one great big loafer," and he laid outstretched hands upon the blue bosom of his gala shirt; "one great big loafer man."

"No, I'm afraid I don't understand," confessed Miss Bailey. "Tell me about it."

"found a stranded comic valentine and presented it, blushingly, to Eva Gonorowsky"

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"Vell, I was a vidder man," Mr. Diamantstein explained. "Mine vife she die. From long she die, und I'm a vidder man. But now I marry, maybe, again. I ain't no more a vidder man. I was a loafer on a beautiful yonge lady."

"Oh! you're a lover, Mr. Diamantstein. Why, that's the best news I've heard for ages! And your new wife will take care of the boys. I am so glad!"

"She's a beautiful yonge lady," the Lothario continued; "but easy scared! Oh, awful easy scared! So I don't tell her nothings over those devil poys."

"Now, Mr. Diamantstein—" Teacher began admonishingly, but he interrupted.

"I tells her like this: 'Say, ain't it nice? I got three leetle poys—awful nice leetle poys—no one ain't never seen no better leetle poys.' Und she says she won't marry mit me. Ain't I tell you how she's easy scared? But I tells her all times how mine leetle poys is goot, how they makes for her the work und the dinner und the beds. Und now she says she will marry mit me und I'm a loafer on a beautiful yonge up-town lady."

The wild gesticulations of Mr. Diamantstein during this account of his courtship and of its triumphant conclusion were wonderful to see. He stopped now, glowing and panting, and Teacher noticed, for the first time, that he was still a young man, and that there was some shadow of excuse for the reckless course of the "beautiful yonge up-town lady."

"Mr. Diamantstein," she said heartily, "I wish you joy. I'm sure you deserve it, and I hope the young lady will be as good as she is beautiful. Bring her to see me some day, won't you?"

"Sure," said Mr. Diamantstein politely.

But ah, for the plans of mice and men! and oh, for the slip and the lip! Within that very week the airy castle of Mr. Diamantstein's hopes was shaken to its foundations. The cause was, of course, "them devil poys." Julius and Nathan Diamantstein were convicted of having stolen and offered for sale books, pencils, and

"'She's a beautiful yonge lady, but easy scared!'"

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paper, the property of the Board of Education. Isidore had acted as agent and was condemned as an accomplice. The father was sent for and the trio was expelled.

Then deep was the grief of Miss Bailey and wild was the wailing of Mr. Diamantstein. He tore his hair, he clung to the hem of Miss Bailey's garment and he noted incidentally that it was of "all from wool goods," he cast his cherished derby upon the floor and himself upon her protection.

"Say, Missis Pailey," he implored, "you do me the favor? You go on the Brincipal und you say like that: 'I give him five dollars, maybe, so he don't egspell them devil poys.'"

"But he must," Teacher answered sadly. "It is the law. They must be expelled. But oh, Mr. Diamantstein, won't you try to take care of Isidore?"

"Say, Missis Pailey," Mr. Diamantstein recommenced, "you do me the favor? You go on the Brincipal und you say like that: 'I give him five dollars, maybe, so he don't egspell the poys till the month.' It makes mit me then nothings."

"You won't mind at the end of the month?" exclaimed Miss Bailey. "Why not?"

"Well," said the lover tenderly, "it's over that beautiful yonge lady. She's awful easy scared! awful easy! Und sooner she knows them poys is egspell she don't marry no more mit me. On'y by the month she will be married already und nothings makes then nothings. Say, I gives you too, maybe, a nice present so you says like that on the Brincipal."

But Mr. Diamantstein's lavish promises could avail nothing and the boys were doomed. Time passed and Isidore's place in Miss Bailey's kingdom was taken by another American citizen in the making, and the incident seemed closed.

On an afternoon in the first week of February, Miss Bailey, Nathan Spiderwitz, and Morris Mogilewsky were busily putting Room 18 to rights, when a small boy, in an elaborate sailor costume, appeared before them. He was spotlessly clean and the handkerchief in the pocket of his blouse was dazzling in its white abundance. Upon his brow, soap-polished until it shone, there lay two smooth and sticky curves of auburn hair, and on his face there played a smile of happy recognition and repressed pride.

"'Teacher, oh, mine Teacher'"

Miss Bailey and her ministers stood at gaze until the new comer, with a glad cry of "Teacher, oh, mine Teacher," threw himself upon the lady, and then surprise gave place to joy.

"Isidore, my dear boy; I'm so glad to see you! And how beautiful you look!" cried Teacher.

"Beautiful and stylish," said Morris generously. "Sinkers on the necks und sleeves is stylish for boys," and he gazed longingly at the neatly embroidered anchors which adorned the sailor suit.

"Oh, yes; suits mit sinkers is awful stylish. They could to cost three dollars. I seen 'em on Grand Street," said Nathan, and Isidore's heart beat beneath the "sinker" on his breast.

When the first transports of joy over the reunion had abated, Isidore explained his presence and his appearance.

"My mamma," he began proudly, "she sets by the Principal's side und he says, like that, you should come for see my mamma. She's new."

Teacher deftly patted her hair and stock into place, and set out in great interest and excitement to see the "beautiful yonge uptown lady."

"Come, Isidore," she called.

"Mine name ain't Isidore," he announced. "Und it ain't Issie neither, but

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it's awful stylish. I gets it off my new mamma. It's a new name too."

"Dear me," cried Miss Bailey. "What is it, then?"

"I don't know," answered Isidore. "I couldn't to say it even."

"Dear me!" cried Miss Bailey again, and hurried on.

At the door of the Principal's office Teacher halted in puzzled surprise, for the first glance at the glowing face of the new mamma, and the first sound of her pleasant voice, proclaimed, beyond the shadow of a doubt, that Mrs. Lazarus Diamantstein the second was a buxom daughter of the Island of Saints. The little sailor climbed upon her lap, and the Principal introduced the matron to the maid. Miss Bailey said all that etiquette demanded and that interest prompted, and Mrs. Diamantstein blushed prettily.

"Thank you kindly," she answered. "You're very good, but I knew that before. Larry — me husband, you know — often told me how good you were to the child."

"Ah, but you see," said Teacher, "I was very fond of Isidore."

"That's not his name at all, Miss," said Mrs. Diamantstein decidedly. "That's a haythen name, and so I'm going to have him christened. Tell your name to the lady, alannah."

Thus encouraged, Isidore toyed with a diamond stud, not much larger than a butter-plate, which glittered in the new shirt-waist of his new mamma, and uttered a perfectly unintelligible string of sounds.

"See how well he knows it," said the parent proudly. "He says his name is Ignatius Aloysius Diamantstein. Think of him knowing it already, and him not christened until next Sunday! I'll have them all christened at once by Father Burke. over at St. Mary's, and I came here to ask you two things. First, knowing the liking you have for the child, I ask you will you be godmother to Ignatius Aloysius?"

Miss Bailey felt unable to cope, all unaided, with these sudden and bewildering changes. Isidore christened and Christianized! Isidore her godchild! She sought inspiration in the Principal, but his shoulders shook with unsympathetic mirth, and his face was turned away. Left to her own puzzled guidance, she answered:

"Really, Mrs. Diamantstein, you are too good. I have been trying to take care of — of ——"

"Ignatius Aloysius," murmured the Principal. "Ye gods, and with that face!"

"Of Ignatius," continued Miss Bailey, stifling a wild inclination towards unseemly laughter, "and I should be delighted to be his godmother, but — but ——"

"Well, then, that's settled, and thank you, Miss. And now the other thing: Will you take Ignatius Aloysius back into your class? Larry told me how them three children wouldn't go to school for the longest time back, before I was married. Gettin' the little place ready for me, he says they were, and stayin' at home to do it. The darlin's! And lately I was too busy with one thing and another to bring them back. But now I've got Denis and Michael, me other two boys, entered over at the Christian Brothers' school. I was goin' to send the little fellow there too, but he cried to come to you. Won't you take him?"

Miss Bailey appealed to the Principal. "Please," said she, "may I have my godson, Ignatius Aloysius, in my class?"

"I shall try to arrange it so."

Mrs. Diamantstein fixed grateful eyes on Teacher. "You're a good young lady," she repeated, with deep conviction. "And if one of them was a girl I'd call him after you. May I make so bold as to ask your name?"

"Constance."

"Well, now, that's grand. That's a beautiful name. Himself has two little girls in the orphans' home and I think I'll get one out and call it that. But, maybe, I won't. But the first one I get I'll call Constance, after you."

When Mrs. Diamantstein had taken her decorous leave of the Principal, Miss Bailey and she walked to the great front door. As they reached it Mrs. Diamantstein reiterated her gratitude and added: "You'll be there at three o'clock, won't you, Miss? For we're to have a grand time at the party after the christening. Father Burke promised to come home to the little place with us, and Larry is goin' round now askin' his friends. And it's the queer owld friends he has, Miss, the queerest ever I seen, and with the queerest owld talk out of them. But sure, the little man will enjoy himself more if he has some of his own at the party."

"And do you mean to tell me that the man is asking his Jewish friends to a

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"'Let,' is it!'"

Catholic christening?" remonstrated Miss Bailey, who had seen something of the racial antagonism which was rending all that district.

"Sure, not at all, Miss," answered Mrs. Larry reassuringly. "Do you think I'd tell him what the party was for? What does the poor man know about christenings? And him, God help him, a haythen of a Jew. Make your mind easy, Miss; it'll just be a party to him. No more than that."

"But he — all of them — will see Father Burke," Miss Bailey urged.

"And who could they see that would do them more good?" demanded Mrs. Diamantstein belligerently. "Cock them up then. It's not often they'd be let into the one room with a saint of a man like that. They'll likely be the better of it for all the rest of their poor dark days."

Teacher made one more effort towards fair play. "I think," she persisted, "that you ought to tell your husband what you intend to do. It would be dreadful if, after all your trouble, he should not let you change the boys' religion."

"Let, indeed!" cried the bride warmly. "He can wait to do that until he's asked. I'd be long sorry to have a man like that with no bringing up of his own, as you might say, comin' between me and me duty in the sight of God. 'Let,' is it?" And the broad shoulders of Bridget Diamantstein stiffened while her clear eye flashed. "Well, I'm fond enough of that little man, but I'd break his sewin'-machine and dance on his derby before I'd see him bring the darlin's up for black Protestant Jews like himself."

And across the space of many weeks, Mr. Diamantstein's voice rang again in Teacher's ears: "She's a beautiful yonge up-town lady, but easy scared. Oh, awful easy scared!"

Well, love was ever blind.

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THE TERMINAL

BY

MARY STEWART CUTTING

AUTHOR OF "LITTLE STORIES OF MARRIED LIFE"

ILLUSTRATIONS BY W. SHERMAN POTTS

IT was Saturday night — the married "drummer's" home-sick night. Mr. Martin Prescott, walking into the long, narrow hotel bedroom, felt more than ever the wearing familiarity of the scene that met his eye. There was the same dull carpet, the Michigan pine furniture, the drab striped wall-paper, the windows shaded only by little slatted inside shutters, to which he was used in third-rate towns. There was even the same indefinable chill, dusty smell that was associated with evenings of figuring over sales on the coverless table, under the weak, single-armed gas burner that jutted out from the wall at the side of the bureau. Yet, cheerless as it was, he preferred its seclusion just now to the more convivial bar-room, where the liquor and the jokes and the conversation of "the boys" had all the same jading flavor, and he felt unequal to bracing his spirit sufficiently to receiving the Saturday confidences of the garrulous or the weary. Reticent both by habit and principle as to his intimate affairs, he was no stranger to his kind, and in the top strata of his mind were embedded many curious evidences of other men's lives.

But to-night he had a matter on his mind that companied him whether he would or no, and he was sore at having to stay over in this little town, from which there was egress once only in twenty-four hours. He had waited for a customer who did not arrive in the place until too late for him to get out of it, and had hereby missed the letter from his wife which was waiting for him some hundred miles further westward. Prescott did not, in a way, dislike traveling as a business; his wife always comforted herself with the thought that there were other modes of earning a living more inherently disagreeable to him, yet there were days and nights of a paucity which he was glad she could not picture. Saturday night away from home in this kind of a town, without a letter — when the last one had been disquieting — reached the limit of endurance. He felt that he had traveled long enough.

He made his preparations for the evening with the wontedness of custom. He locked the door, turned up the gas, and worked over the screw in the lukewarm radiator. Then he drew the cane-bottomed rocking-chair underneath the gas burner, and placed a couple of magazines on the bureau beside him, his lean, bearded face reflected in the shadowy mirror above it. He opened his valise and took from it a folding leather photograph case containing the picture of a woman and three children. Prescott gazed at it hard for a few moments before standing it up beside the magazines. He was trying to find an answer to the question he was debating: if he could manage in some way to supplement by three hundred dollars more the income of a new position offered him, he might be able to accept it and stay at home forever.

He lit his pipe and, putting his heavily booted feet on a chair, began to cut the leaves of a magazine with his pocket-knife. He had meant to get his slippers out of the bag and make himself comfortable, but somehow, after looking at the photographs, he had forgotten about himself. He had written his daily letter to his wife before the last going train, and he would not begin a fresh sheet now — no matter what he wrote, she would divine his mood. You have to be very careful what you write in a letter that is read some days after, lest you cloud

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the sunshine for another when it has brightened again for you.

"What is it?"

He sprang up as a knock came to the door, after first hastily sweeping the photograph case into the valise. He hoped devoutly that it was not a visitor; there was no one in this town whose presence would not be an intrusion to-night. But he gave a glad start of surprise as his eyes fell on the man standing with the bell-boy in the hall.

"Brenner! Well, this *is* good! I never dreamed of seeing *you* here."

"I don't wonder," said the stranger, a pleasant, fresh-faced, broad-shouldered young fellow, with a light mustache. "It's ages since I set eyes on you; I changed my route, and then, two years ago, I married. We only moved here last spring. Jim Halliday told me this afternoon that you were in town. What a soak he is! But don't let's waste time here; I want you to come right around and spend the evening at our house; I want you to meet my wife."

"I'll be delighted," said Prescott with alacrity. He locked the bedroom door and the two walked out together, conversing briskly as they went. He and the younger Brenner had been chance companions on several notable trips in former years, drawn together in spite of dissimilarities in taste and education by a certain clear and simple cleanness of mind which unerringly divines its kin. The air had seemed raw and chill earlier, but good fellowship had put its warmth into the winter world with Brenner's presence.

"So you're married," said Prescott presently. "I remember that I heard of it. I've wondered at not meeting you anywhere; I didn't know you'd given up the road."

"Well, yes, I've quit," said Brenner. "My wife didn't like me to be away so much, used to get scared nights, and there's a sight of things to see to when you have a house — the coal, you know, and the plumbing getting out of order, and then after the boy came — oh, yes, I've quit it all right. Seems sort of tied down in a way after you've been your own boss, but I'm not sorry — I'm pretty well fixed, I guess. Traveling's all very well for a single man, but it gets to be an awful pull after you're married. You miss a lot."

"I've been traveling for sixteen years," said Prescott soberly; "two years before I married — at twenty-four — and fourteen since."

"That so? It's a pretty long time."

"Yes, it is. I've been wanting to give it up." He hesitated, and then continued with rare expansiveness: "The fact is, there's a position open for me at home now, but I can't quite see my way clear to taking it. The salary's nominally all right, but there's my living to be taken into account, and other things. I figure out that it would mean about three hundred dollars a year less than we have now — and I don't see how we could live on that. You see, the trouble is it's away out of the line I'm in now — yet there *may* be a future in it."

He went into explanatory detail, led on by Brenner's questioning interest.

"Couldn't you make it up in any way by outside commissions?"

Prescott nodded. "Ah, that's what I'm trying to get at. You're a wise man to have made the break early, Brenner. Every year I've meant to." Prescott spoke with a bitter patience. "I've never thought of my being on the road as anything but temporary, and here I'm at it still. The longer you wait, the harder it gets to change; you don't know how to take the risk. I haven't told my wife yet about this offer, for I don't want to disappoint her. I hoped to have had a letter from her to-night — the last one was rather disquieting — but I'm behind my schedule."

"Well, I know what that is," said Brenner heartily. "I had a letter from Mame once after we were first married — she'd cried all over the paper in big blots; she thought she'd die before morning. Well, my train was snowed up in a South Dakota blizzard and I never got another letter for a week. *Holy smoke!* I never want to go through that kind of a racket again. Then, when I *did* hear, I found she'd been to a party the next evening as chipper as you please — belle of the ball. I tell you there's too much see-saw about that sort of thing for a limited nature like mine; but I suppose I'd have got used to teetering on it same as the rest of you, only she made up her mind I was to quit — and quit I did. Mame runs *me!* I guess she'll try and run you too; she tries to run most any one that comes to hand. This is my shebang."

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He stopped before a small cottage whose slender piazza was ornamentally fenced in with heavy wooden scrollwork, and, opening the front door, ushered the guest into the narrow hall. "Hello, Mame! Here's Prescott. Prescott—he's one of 'the boys,' you know."

"We're so glad to have you here," said Mrs. Brenner, a stout young woman in a light blue flannel shirt-waist; she had prettily untidy hair, large gentle brown eyes, and small, very soft hands. She brushed the light strands of hair out of the way with a pretty gesture of one hand, while she extended the other to Prescott. He felt an instant sensation of comfort, increased when he found himself finally settled in an arm-chair in a room that reflected the mistress of it in a sort of warm, attractive disorderliness. A work-basket, with the sewing half out of it, occupied a footstool; the table, lighted by a lamp with a pictorial shade, was piled high with magazines and papers; a banjo sprawled on the sofa amid the tumbled pillows, and a child's pink worsted sock and a china cat lay in front of the bright little kerosene stove in the middle of the floor.

Mrs. Brenner followed his gaze toward the infant's belongings and blushed as she laughed.

"Harve won't let me pick them up! Isn't it silly of him?"

"I believe she puts them there herself, because she thinks I like it," said Brenner serenely. "Oh, she's up to tricks! She sent me for you to-night. Do you remember the evening I spent at your house five years ago? The night I had the cold, and your wife put the mustard plaster on me?"

"Why so she did," said Prescott delightedly. "I'd forgotten you'd seen my wife and the children. Let me see—there were only two of them—Margaret's four years old."

"It was the hottest mustard plaster I ever felt," said Brenner reminiscently. "I went to sleep with it on. When I woke up—I guess I was sort of dazed—I thought the house was on fire, and started to run down-stairs, but Mrs. Prescott caught on in some way, and sent you to head me off. Hottest mustard plaster I *ever* felt. Well, your wife was mighty good to me. Not so very rugged-looking though herself, as I remember."

"Oh, she's very strong," said Prescott, with defensive hauteur; "very. She's never ill." He turned the conversation toward the Brenner ménage. "And how old is your child?"

But he found himself, later, confiding in Mrs. Brenner, after the cozy little supper in the rag-carpeted dining-room, where she had set out hot mince pie and cheese and cookies, and Brenner had made the coffee. Prescott, who owned the impaired digestion of the traveling man, had long passed the stage of taking whisky to supplement all deficiencies, arriving at the final attitude of the invariable soft boiled eggs for breakfast and rare roast beef for dinner, but to-night he had recklessly refused to take sickly thought for the morrow. Mame's pie was good.

Brenner was sitting now cross-legged on the sofa, strumming obliviously on the banjo, while Prescott, his arms on the dining table, leaned toward Mrs. Brenner's sympathy. Something in this warm home-atmosphere was too much for him.

"She—I—there's some things you can't talk about, Mrs. Brenner. Now, the other night my wife had to get up at two o'clock in the morning and go out over the snow to the doctor's; Martin, that's my boy, was taken sick. Little Emma wouldn't let her mother go alone—she's only nine. My wife wrote me that it didn't scare her a bit, but it does seem sort of pitiful—doesn't it?—to think of their doing it. It's never happened before, but the neighbors we used to have moved away."

"Oh, you mind it more than she would," said Mrs. Brenner encouragingly. Her soft eyes made a temporary home for him.

"Things seem to tell on her more than they used, though she tries hard not to let me see it. She's always worrying about me, in this kind of weather, for fear I'll come down with something alone in a hotel. But my wife"—Prescott paused a moment awkwardly—"my wife's awfully *good;* I'm not that way myself, Mrs. Brenner, but I don't think I would care for a woman that wasn't religious. She thinks everything is *meant*. And it helps her a lot."

"Yes, I know," said Mrs. Brenner. She added after a little silence: "Was your boy very ill?"

"Ill? No; he was all right the next day. But she caught cold; she doesn't think enough of herself; she's that kind, you know. It's clear foolishness! Last time I was home I found that when the girl left—we had one for six years and have

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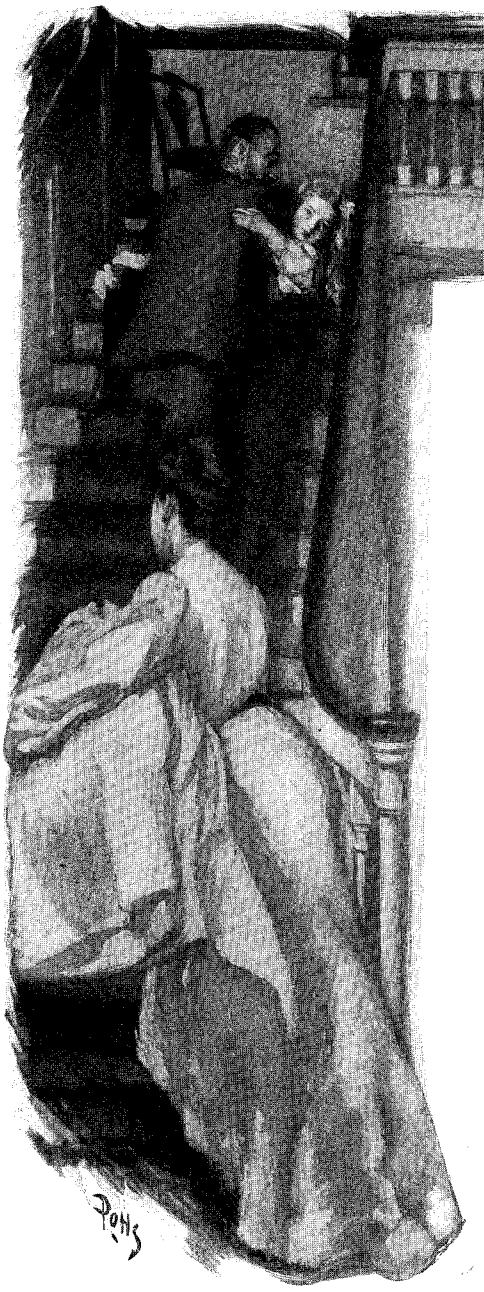

"'Mamma jiggles'"

been changing hoodlums every fifteen minutes since she married — well, when the last one left I found she'd been carrying up the coal for the fires because the boy got tired, and she was afraid it would hurt him. Husky little beggar, I'd tire him all right! He's just getting to the age when he's too much for his mother — nothing wrong about him, but he worries her. He slings his books at the brakemen when he goes in to school on the train and gets complained of — and he smokes cigarettes around the corner and the neighbors come and tell her, and it breaks her all up."

"He needs a man," said Mrs. Brenner.

"Yes. But you see I'm home so seldom she can't bear to have me down on the children the only time I'm with them. You see, a man doesn't think much whether he likes to travel or not — it's just something that's got to be done, if you're in the business — but it's hard on a woman. Some women seem to get used to it, though."

"Ah," murmured Mrs. Brenner, "when we married I said to my husband: 'When I get over caring for you, then I'll get over minding your leaving me — and not before.'"

"Why, that's what my wife says!" said Prescott. He laughed, with a rising color, and shook his head. "You women — you're all alike. You don't know what lots of good it's done me to be here and talk to you to-night; it's most as good as being home — not quite, though."

"Can't you stop traveling?" said Mrs. Brenner, going with penetrative instinct to the thought she felt. She added, after a pause: "Are you sure you can't?"

He looked at her uncertainly. "How did you know that? No, I'm not sure I can't — but I'm not sure I can. And I'm not so young as I was."

"Think of it." Her hand gave his a warm clasp; through her eyes he saw his wife. "*Think* of it."

"God knows I do," said Prescott huskily. His hand wrenched hers in its farewell, before he put on the overcoat Brenner brought him from the back hall.

All the way back to the hotel he was thinking over things. It all depended on that few hundred dollars extra, so

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absolutely necessary that, without it, he could not provide a shelter for his family. More than a living he no longer planned for. He looked at the future with the eye of the man who, whatever his abilities, has come to learn that, either from early training, or environment, or the iron bands of need, more than a careful living can never be his. He could have enjoyed riches as well and more than many another man, but they were so out of all calculation that what they could buy no longer aroused in him any particular interest. He would never even be able to indulge in that pathetically ludicrous dream of the business man of retiring to a green and placid land and raising catalogue produce from theory. He would be able to save little, after educating his children, but the money to pay the insurance that would keep his wife from penury when he died. For all his days he must work in harness, and take no holiday but that which Death gives to the great rank and file.

Yet, in spite of these limitations, for all that he tacitly renounced, he had good measure. He had the freedom of spirit which belongs to him who, given a competence, envies not any man his wealth or his opportunity. He had gained a capacity for getting great and far-reaching happiness from the exquisite little joys of life. If he had a little of the inner sadness that comes of foregoing the ambitions natural to a man, it was not the sadness of defeat, but rather the thoughtful weighing of the loss as the least—all things considered—that he could have had. In the silent times of those long journeyings by day and night over the earth, the pricelessness of the common blessing of a home had sunk deeper and deeper into his soul. And the spring of all this was in the love he and his wife had for each other, a love that was too much of a vital power to be consciously dwelt upon; it was rather an enlarging and enriching of the whole nature because they two were one in the possession of a country which it is given to but few of the married to see even afar off. Below all trouble lay ever a secret joy; whither he went, she companied him. In all the years of separation, they were less apart than many whose hands meet daily; there could be no real separation between them even after death.

But now—but now—she was getting tired. Her small face with its pure outlines, the sweet, nervous mouth and the loving eyes came before him—her low controlled voice, her quick motions, her rapid adjustment of all domestic problems that his brief stay at home might be bright and restful, the children at their best, the meals most home-like, and she herself dressed prettily, with the work so ordered that she might not lose a minute of his society. If callers came on one of those precious afternoons, she rebelled as if at a calamity. She had always been so brave, so helpful, but she was not so strong as she had been, and the boy was too much for her. If he could but see his way a little clearer! He had the cautiousness of methods new to him that comes of the inexperience of manhood, far more frustrating than the inexperience of the boy.

Brenner came around the next day just before train time.

"Mame sent me," he explained. "She's been talking to me ever since you left. She's got a brother in New York who's in the line you're looking up, and she has an idea you can fix up something with him in connection with the position you were telling me of. If you can carry some of his business with you I don't see but it would help you out mighty well. He's a good man—and he'll do anything for Mame, if he *can* do it. She's written him a letter, and here's one for you."

"I'm much obliged, I'm sure," said Prescott politely. He did not speak with enthusiasm; he had a rooted distaste for a woman's intervention in business matters, and by daylight his evening confidences rather annoyed him. Still——

"A telegram for you, sir," said a boy coming up.

Prescott took it and opened it mechanically. He stood for a moment with his eyes glued to the paper, and when he looked up Brenner cried in horror:

"Not your *wife*, man!"

"No," said Prescott thickly. "It's little Margaret." He consulted the paper. "She's not dead—yet. She's been run over. She may not be so badly hurt as they fear. My God! I can't get there for two days!"

"Thank heaven the east-bound train's on time," said Brenner devoutly, and went home to be cheered by his Mame.

"Papa is to carry little Margaret upstairs—think of it!—dear papa to carry her

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—such a treat! His arms are so much stronger than mamma's." It was a week since the day of the telegram.

"Mamma jiggles," said the child roguishly, looking backward from the shelter of her father's arms to the slender figure toiling up laboriously with shawls and pillows. "Mamma carries Marget all slippy."

"Poor mamma," said the father; "she has to do everything when I'm not here." He pressed his lips to the soft baby cheek of the little girl who was getting well, but his thought was with the mother. "Now what on earth are you lugging all those things up for, Annie? Didn't I tell you to call Martin to take them? You know you're all worn out."

"He's reading, and I thought I wouldn't disturb him."

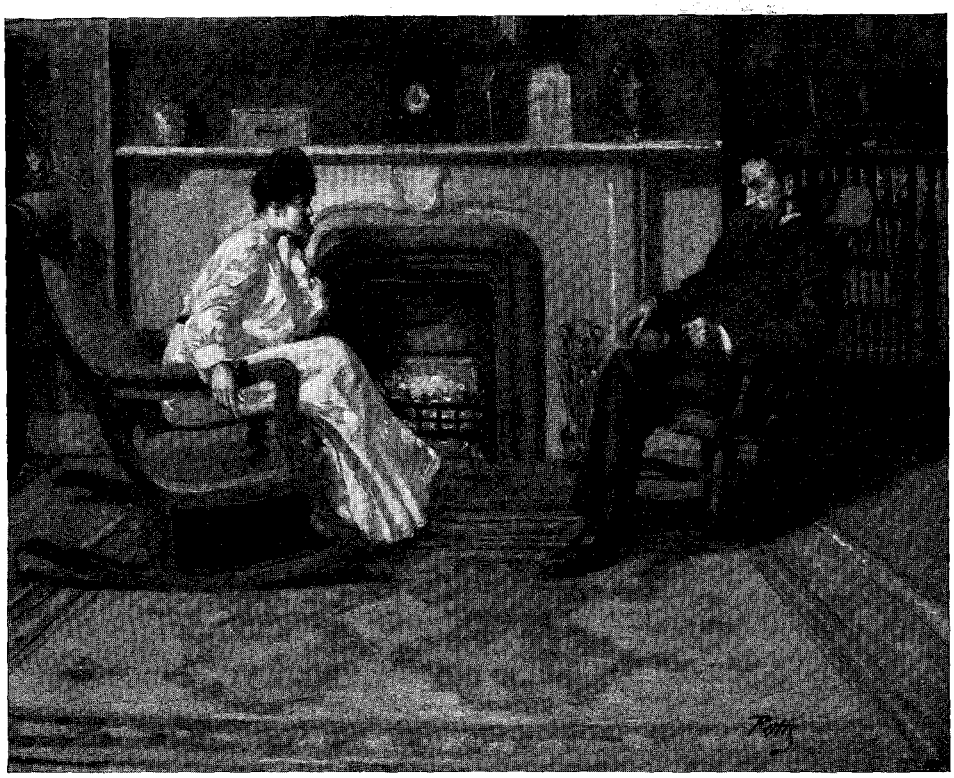
"Where's that magazine I had? *There* you go again! Why *don't* you let the children wait on you?"

"I knew *just* where it was," said the wife with eager excuse.

"Well, it's their business to know where things are," said Prescott severely; "they don't help you half enough. When I go away to-morrow——"

The joy in his wife's face went out as the light is snuffed out in a candle.

That evening, as they sat alone together in the cozy library after the children were in bed, she broke into the conversation with a tone that showed the effort. "I haven't asked you yet what time you want breakfast to-morrow morning. I hope you don't have to take the six-fifty, it's so very dark and early, and you never really eat anything, no matter what I get for you."



"'I don't see how I'm going to let you go this time'"

Prescott looked at the pure outline of her cheek and brow, and the stricken cheerfulness of her eyes. He hardly seemed to hear her words for a minute, and then answered absently:

"No; I'm not going so early to-morrow. Hark, is that somebody coming up our steps?"

"Oh, I *hope* it's no one to call! It would be dreadful when it's our last evening together. No, thank goodness! It's next door."

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"she raised her head momentarily"

"When I've been home five whole days that you didn't count on, you oughtn't to stand out for such a little thing as the last evening. It was well I could come—wasn't it? When I got that telegram——"

He broke off with a shudder, and their hands clasped. Their minds traversed the past week with its terror and anxiety, and its later joy—the great happiness which comes from no new phase, but from the blessed continuance of the unnoticed daily good.

"You have been in town so much of the time," she murmured half-jealously.

"Yes, I know. It was necessary."

"You haven't told me yet what time you want your breakfast."

"Oh, any old time. I don't think I'll go in the morning."

"Why didn't you say so before?" She looked at him reproachfully. "Then I would have hired Maria for the day. Now I'll have to spend a lot of time in the kitchen when I'll want to be with you."

"How would you behave if I were to stay home all the time?"

"How would I behave?" She gleamed at him with sudden sweet tremulous humor through the mistiness of her eyes. "I'd never come near you. I'd make calls and belong to all the societies in the place and not get back until after dinner-time. I'd go next door in the evening and leave you home reading. I'd behave the way other women do whose husbands come home every night. I expect I'd get tired of seeing you around. Don't you believe it?" The gaiety in her tone flickered and went out, as if she were very very tired. Her voice dropped to a whisper. "I know you've been considering that offer—*you* didn't tell me of it—and you've refused it. I've been watching you. And I don't see how I'm going to let you go this time."

"Annie!"

"Oh, forgive, forgive me! I'll be brave again, I will indeed. But I've been through so much lately that just now—it gets so hard—so hard"—her voice was almost inaudible—"harder and harder. I've been praying—and *praying*."

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"Annie, dear, you're all wrong. I'm not going to-morrow or Tuesday either. Can't you guess?"

She lifted her head from his shoulder and pushed him from her. "How queer you act! What do you *mean?*"

He tried to bend a jovial gaze upon her.

"I'm not going to travel any more, Annie, ever. You were all wrong; I've taken the offer. I went to see Mrs. Brenner's brother in town. I tell you that little woman in Wisconsin did you a mighty good turn! And I've taken the chances. I've figured it all out." He tried to gather her to him, but she drew back. "Why, Annie, aren't you glad? What makes you shake so?"

"You are going to stay *now?*"

"Yes, always. I'm going to look after my children and my — sweet — wife. Why *Annie!* Oh, you poor *poor* girl, has it been as bad as *that?*"

He tried once more to draw her to him, but she eluded his grasp and was gone. He heard her light footfall above and then there was only silence.

He sat there by the table for a few minutes with a book before him, as he smoked, but he did not read. Once he went to the door and called, "Annie!" softly, that little Margaret might not be wakened, and yet again, "Annie! Come down; I want to read to you," but there was no response.

He lingered a moment hesitatingly, and then went up the stairs himself, his feet pausing half-reluctantly on the steps. Thrice he halted, and then went on again into the room where she was a kneeling figure by the bed, her arms spread out upon it, and her hair falling over her shoulders. She raised her head momentarily with a backward glance of rapt joy at him before burying it again in the coverlet, and as his footfall stopped on the threshold she held out one arm appealingly as if to encircle him beside her.

"No — no!" he said painfully. "No, Annie! I — I can't — it wouldn't be right. Annie, you don't want *me*, dear; you don't want — *No!*"

Her white hand still mutely pleaded. Even at the very gate of heaven she could not be satisfied without him. He drew nearer, and a little nearer. Then, somehow, he had stumbled down awkwardly into the warm enclosure of her arm, and hid his face within her bosom.

SONG

BY

GOUVERNEUR MORRIS

FOREVER *brown leaves on the river*
Fall and float away.
Forever Night leaves with a shiver
At the note of Day.
Sea-foam blows forever,
Man from home goes forever.
God's face shows forever
And God's grace grows forever.
I will hold you close forever
If we only live a day.

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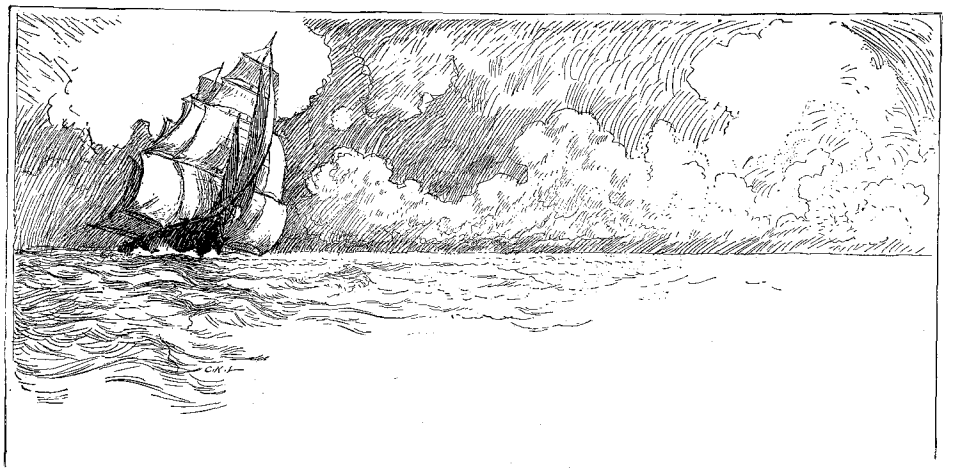

THE RUN OF THE "ALTAMAHA"

A TRUE STORY OF THE U. S. NAVY

BY

JOSEPH STICKNEY

ILLUSTRATED BY CORWIN KNAPP LINSON

ON the 20th of October, 1871, the steam sloop-of-war, "Altamaha," under full sail, with her fires banked, was cruising between the northern coast of Cuba and the Bahamas. It had been impossible to take observations for several days, and, therefore, the navigator had not been able to mark the ship's position on the chart with absolute accuracy. While lying in the harbor of Key West, about two weeks before, the "Altamaha" had ridden out a cyclone that had swept over the West Indies, causing many wrecks. Immediately afterward her commanding officer, Captain Dawes, had gone to sea for the purpose of giving aid to ships and shipwrecked crews needing succor, and he had taken with him William Geiger, one of the most notable pilots of Key West, a man whose knowledge of the Florida coast and of the Bahamas was marvelous. After having cruised until his coal was almost exhausted, Captain Dawes was making for Key West under sail alone.

The "Altamaha" was a wooden corvette, built at the close of the Civil War. Her captain was reputed to be one of the best seamen of the navy; her twenty-two commissioned officers and her four hundred seamen, firemen, and marines had been on board long enough to enable them to reach the highest point of efficiency, and her engines were capable of giving her a speed of fourteen knots.

Near noon the wind suddenly snapped sharply around to the north, and immediately the barometer began to fall. By four o'clock there was no longer any doubt that a cyclone center was approaching, and the rapidity with which the wind shifted its direction showed that the storm was coming at great speed, and that the center was going to pass very close to the nearly coalless ship. It would have been a bad outlook, even if the "Altamaha" had been in the open sea, for a steam-propelled warship, deprived of fuel, is a clumsy manœuvrer under sail alone. The drag of the propeller checks her speed and seriously interferes

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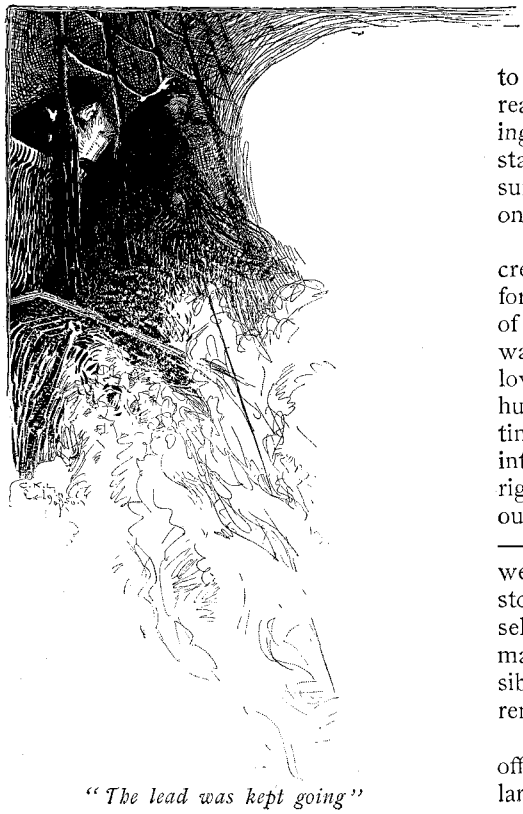
with her steering. But the "Altamaha's" situation was rendered doubly hazardous by the proximity of many low-lying keys and reefs which, with no steam, it might be impossible to avoid.

Captain Dawes ordered that the small remaining amount of coal should be sacked and piled in the fire-rooms, ready for instant use, but the fires remained banked until an imminent peril should demand the use of the engines. Above deck everything was secured, the light masts and spars being sent down, while the topmasts were "housed" and stoutly lashed, the topsail yards resting on the lower caps. The topsails and courses were close-reefed and furled, but the storm-maintrysail — a mere patch of three-cornered canvas — was sheeted home to keep the vessel's head up to the wind.

From nearly due north the wind gradually shifted to the northeast, and before dark the sea was terrible in its irregularity. The sky was of a murky, greenish brown, with streaks of white scattered through it, like the puffs of steam that play athwart the dense smoke rolling up from the soft coal fires of an ocean liner. The waves had begun at first to roll with some regularity until they had reached a considerable height, but the shifting wind had soon impressed upon the unstable water new lines of motion at the surface, the movement below continuing on its previous course.

"Pilot Geiger carefully examined the tallow"



"The lead was kept going"

Hammocks were now dealt out to the crew at the usual time, but sleep — even for the most experienced salts — was out of the question. The howling of the storm was indescribably depressing. While the lower notes, drawn from contact with the hull and lower rigging, were like the continuous groaning of monsters, at frequent intervals there came from the upper wire rigging shrieks and wails now long drawn out and then broken into staccato passages — as though myriads of souls of the lost were hurtling through the air above the storm-tossed warship. Moreover, the vessel was in constant motion so violent as to make even a swinging hammock an impossible place of rest. The officers and men remained mostly on the gun-deck.

The lead was kept going as opportunity offered — not the ordinary hand lead, but a larger one in the base of which was a

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cup-like hollow filled with tallow. When this lead struck the bottom, the tallow retained, imbedded in it, the sand, mud, or gravel, of which the bottom was composed, and after each cast Pilot Geiger carefully examined the tallow and noted the character of the soil brought up by it.

Fiercer grew the blasts and higher leaped the waves. As the night wore on the wind shifted to the east and then to the southeast, the changes in direction lashing the water into a fury wholly different from that which would have resulted from a

"he clambered up to the bridge"

straight gale. Inky blackness overhead, towering cliffs of semi-phosphorescent water around, and an all-pervading pressure of wind, laden with spoondrift, characterized the situation. At one instant an abyss would yawn close alongside, while lofty pyramids of angry waves would shoot up from the normal level and threaten to fall upon the vessel's deck. Then, after a plunge into one of these depths, when it seemed as if nothing could avert a crash, the ship's descent would be checked near the bottom of the gulf, she would tremble convulsively against the face of the mountain, and would then rise buoyantly over it. Many times even the most experienced seamen believed it impossible to escape the fatal fall of hundreds of tons of water; but, somehow, only the upper part of the waves succeeded in reaching the deck, doing no serious damage. The wind itself contributed somewhat to this result, for the wave crests were blown away in fine spoondrift whenever they reared themselves far above the surrounding level.

Captain Dawes and the executive officer were on the bridge, but Geiger, the pilot, stationed himself in the lee gangway for convenience in examining the lead. About four o'clock in the morning he clambered up to the bridge and said a few words to the captain, who immediately followed him into the cabin. As the two men approached the chart-table, the navigator was found bending over the chart showing the physical conformation of the Cuban coast and of the adjacent Bahamas.

"Captain, I don't need to tell you," said Geiger, "that this ship would have all she could do to weather this storm if she was in the open sea; but we are being driven into a greater danger. Here's where we are"—touching the chart with the point of a pencil. "The wind has forced us steadily toward the Double-Headed Shot Keys; at our present rate of drift, in two hours we shall strike."

The captain reached for the bell cord hanging over the center of the table.

"We must get up steam at once," he said.

"No hurry, captain," interposed Geiger, grimly. "Your engines haven't power enough to buck into this storm, if that's what you are thinking of doing; and, even if they had, your ship would be twisted and crushed into match-wood if you tried it."

"But must we do nothing until we are dashed to pieces on those keys?" exclaimed the captain. "We may as well die one way as another. If we so much as touch bottom, all will be over in three minutes."

"As you say, captain," replied the pilot, "we may as well die one way as another. There's one chance for us and only one. If it fails, we shall die at sunrise. No other thing we can do will keep us alive later than six o'clock. An hour more or less doesn't amount to much. Will you try it?"

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"'Here's where we are'"

Geiger had spoken like a judge pronouncing sentence: "We shall die at sunrise." The officers knew he was merely recording a judgment from which there was no appeal.

"There's where we are," continued Geiger, inexorably keeping the point of the pencil on the spot where he had touched the chart; "and there are the Double-Headed Shot Keys. There"—drawing a short line—"is the drift since midnight. You can see when our end must come."

The officers looked at the old man's marks on the chart in silence. Subordinates of Farragut during the Civil War, they had been accustomed to face danger in varied forms; in battle and in previous storms, the certainty of immediate death had never been brought home to them as it now was. They did not question the accuracy of Geiger's assertions. When he marked the ship's position they did not doubt its correctness. The deduction was perfectly simple—like a geometrical demonstration, in fact. So much drift in the last four hours; in two hours more so much more drift; then the roar of the breakers, a crash upon a reef or bar, an overpowering rush of waters, a smashing of bulwarks and a grinding of timbers, a few frantic plunges of the frenzied crew, and then—oblivion or the Great Hereafter.

Yes, Geiger was right. One might as well die at five o'clock as at six.

"What is your plan?" finally asked the captain.

"We must up helm and run for it."

"Run for it!" exclaimed the captain. "Run where?"

"For the Double-Headed Shot Keys," said Geiger, pointing on the chart to the islands so named. "This ship, with all her coal out of her, is drawing a scant twenty feet. Somewhere between those two keys is a channel carrying four fathoms of water at high tide, and high tide is due here about five o'clock this morning. If we hit that channel we shall escape from this terrible sea by running through it and anchoring under the lee of one of the islands until the cyclone has passed on."

"Ah, if we can hit the channel!" repeated the captain, in a tone expressing incredulity and disappointment.

"Yes, I know," said the old man; "it's like looking for a needle in a haystack; but there's no other way."

"But think, Mr. Geiger," said the captain; "we haven't had an observation for three days. How can you feel sure of our position well enough to find the exact spot where the water is deep enough to float us through?"

"'We shall die at sunrise'"

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"roared in his ear the depth of water"

"I'm not sure, captain, but I *am* sure of being drowned if we don't find it, and we can't do better than to try."

The Double-Headed Shot Keys, upon which the hurricane was fast driving the "Altamaha," lie nearly midway between Matanzas, Cuba, and Key West, Florida. The group consists of several islands, but it takes its name from the two of largest size. A double-headed shot, used more than a century ago, consisted of two shot connected by a stout bar of iron. The keys somewhat resembled this missile, because the two chief islands were connected by a shallow bar. The chain of keys, reefs, and sand bars extended for several miles nearly east and west, so that it was impossible for the "Altamaha" to escape drifting upon them. Geiger's knowledge of the four-fathom channel between the two principal keys had been obtained by long experience in fishing thereabouts, and he counted upon his skill in determining the ship's position from the character of the bottom, shown by the lead, to guide him into the channel.

After a brief discussion of the details of Geiger's plan, Captain Dawes acquiesced in it. Fires were spread and steam was raised, so that the engines should be ready to respond instantly when they should be needed. Four of the most capable of the forecastle men were sent aloft to "goose-wing" the foresail, by passing a stout lashing around the middle of the sail and yard, so that, when the sea-gaskets on the lee yard-arm should be cut, only the lee clew would drop, the force of the wind being such as to make it probably dangerous to set the whole sail at once. In addition to the leadsmen in the lee fore-chains, a gang of maintopmen were sent into the main-chains for similar duty, and both leads were kept going as often as possible. Pilot Geiger stationed himself to leeward of the nest of boats, between the fore- and main-masts, where he scanned every fragment that the leads brought up from the bottom.

The water was growing rapidly shoaler, and the wind, which was shifting further to the south'ard, had increased to a violence greater than any that had ever been experienced by any man on board — except, possibly, old Geiger, whose memory went back to the great hurricane of 1846. After each cast of the lead the pilot studied the fragments of tallow handed to him by the quartermasters, who roared in his ear the depth of water obtained by the leadsmen in the chains.

Shortly after two bells — five o'clock — Geiger left his place in the lee gangway and rejoined the captain on the bridge.

"Now?" asked the captain.

"Yes; let her go north by west," replied the pilot.

No vocal order could have reached the men who were bunched together in the

"the shrill whistle of the boatswain"

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slings of the foreyard, but, before going aloft, they had received instructions to watch for white Coston signals to be burned on the lee end of the bridge. Then they were to lay out to leeward on the foreyard. When a colored light should flare up, they were instantly to cut away the sea-gaskets and let fall the lee clew of the sail.

"Let's have every one on deck," shouted the captain to the executive.

And presently the people below heard the shrill whistle of the boatswain on the gun-deck and all his mates winding the long-drawn-out signal that demands attention from the whole ship's company. Then the boatswain — like some high priest of Neptune — intoned:

"A-a-a-all hands save ship!"

"a brilliant flame burst forth on the port end of the bridge"

And, after him, the hoarse-voiced boatswain's mates roared in chorus:

"A-a-a-all hands save ship!"

From the vitals of the storm-tossed craft came tumbling up every man not engaged in the engineer's department. The whole crew were not needed for work, since fifty men were ample to haul home the

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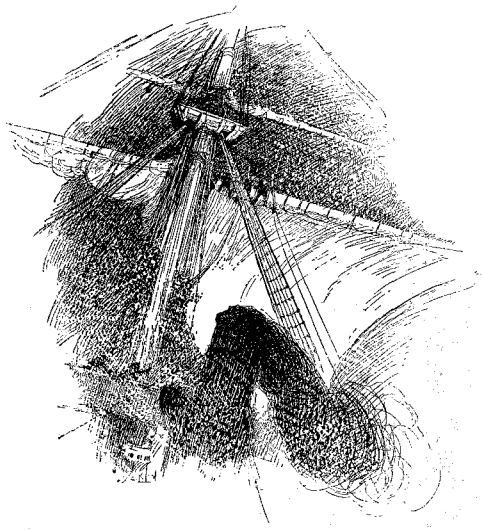


"slashed the gaskets and let the lee clew fall"

foresheet; but Captain Dawes, knowing that he was running his ship into the jaws of death, was determined that his men should not be drowned like rats in a hole. If they must be lost, as many as possible should be on deck when the ship struck. The master-at-arms and the corporal of the guard came to the mast to report "All up, sir," just as though the call had been for Sunday inspection in port.

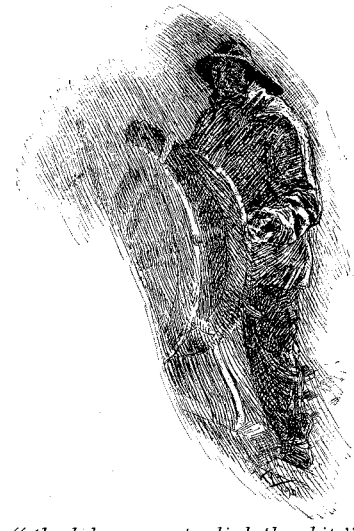
Suddenly a brilliant flame burst forth on the port end of the bridge, where a Coston signal flared and sputtered and refused to be extinguished by the spoondrift. A few minutes later a second one flamed out — white, like the first. The officer in charge on the forecastle worked his way aft to the bridge and reported that, by the light of the second signal, he had seen that the men had reached their stations on the lee foreyard arm, ready to cut the gaskets. The officer in the lee gangway reported the foresheet well manned and the yard square. Orders dependent upon the burning of the signal of execution were conveyed to the chief quartermaster at the wheel and to the men stationed at the foresheet.

Geiger returned to the lee gangway and resumed his inspection of the specimens from the leads. Pandemonium was in the air and on the water, but the old man was as methodical and apparently as unmoved as he might have been in bringing the ship into the harbor of Key West in a calm. Presently he mounted the ladder leading to the bridge, having in one hand the pistol-like apparatus used for holding and firing the Coston signal lights. Then he pulled the trigger, and a brilliant red blaze illuminated the ship,

"Jove!" exclaimed one of the young landsmen, "he's burning the danger signal!"

Instantly the helm was put over hard astarboard; the captain rang the signal bells for full speed ahead on the engines; the busy knives of the old seamen on the foreyard slashed the gaskets and let the lee clew fall, while strong arms on the foresheet hauled it as far home as its hampered condition in the bunt would permit it to come. The maintrysail was clewed in to the mast and quickly furled.

Under the new influences to which the ship had been so suddenly subjected, she leaped forward, her bow turning rapidly to port. By the time the red signal light had burned itself out, she was scudding before the wind. The leads were now useless, as the speed was too great to permit them to be used; but the helmsman steadied the ship on the course previously given him as nearly as the frightfully irregular sea allowed him to steer. In a few minutes the ship reached a place where the configuration of the bottom caused all the forces pressing upon the water to unite in driving it in one general direction — namely, toward the shallows around the keys; and, while the waves shaped like pyramidal peaks disappeared, the height of the sea was such as



"the helmsman steadied the ship"

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still to threaten overwhelming the ship at the stern, by overtaking her and breaking over her.

"She'd better have the whole foresail," the captain yelled under the weather side of Geiger's sou'wester hat.

"Yes, and the topsail, too," the pilot shrieked back.

The captain shook his head. "Too risky," he replied. "If the mast should be carried away, we'd be swamped the next minute. But I'll give her the other clew of the foresail, anyhow."

Again the white signal lights conveyed their warning to the men on the foreyard, and again the following red blaze cast a baleful glare over the ship. The midship lashing and the weather sea-gaskets were cut, and the starboard clew was sheeted aft.

The sun had now risen, and, in spite of the gloomy pall of hurricane clouds, a gray light was beginning to make the situation visible. Running before the hurricane, Captain Dawes and the pilot knew they had done all in their power. Ahead there was a hope. Astern followed the hissing serpents of the sea — great masses of foaming water, whose curved fronts looked like the jaws of antediluvian monsters racing for their prey. Would the sails and spars withstand the force of the wind? Even if they did, would the heavy ship run fast enough to escape the furies in its wake? If one of those ponderous seas should comb over the "Altamaha's" stern, she would be crushed like an egg-shell. Time and again, as one of the waves curled over, close astern, leaving the screw almost out of water, it seemed certain that the crest would engulf the vessel; but each time it would break in an avalanche of green and white foam, just a trifle short of the rail. Then the sail and the screw would carry the ship ahead with increased speed, and the next wave's effort would be equally futile. The ship's company were vaguely aware that some heroic measure had been taken in the hope of saving the vessel, but only the captain, the navigator, and the pilot knew that these waves might be chasing them into the maw of a more deadly enemy — the reefs of the Double-Headed Shot Keys.

"Astern followed the hissing serpents of the sea"

The rolling of the "Altamaha" was terrific. As the water shallowed, the wave-tops crept nearer and nearer ere they broke. It was evident that their speed was increasing,

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"death or safety . . . only a short distance away"

while nothing could be done to drive the ship any faster. The wind had shifted due south, showing that the center of the cyclone — around whose periphery the wind's strength is greater than it is anywhere else — had approached as near the vessel as it was going to come. From the estimate Geiger had made as to the probable position of the ship and the distance to be run from the time the helm was put up, it was evident to the three men on the bridge that death or safety must now be only a short distance away.

Then one wave lapped out an angry tongue and succeeded in dropping fifteen or twenty tons of water on board. No great damage was done, but it was practically certain that the next wave would be more disastrous. The captain spoke down the tube to the engine room, and demanded the highest speed that could be given.

The next wave now came on at a tremendous speed. It seemed a solid mass for several minutes after it came into view, but its front curved inward enough to make it certain that the ship could not rise over it, but would be crushed in its jaws. As it reared its ragged crest high above the taffrail, it was clearly apparent that it was out-running the ship fast enough to overtake her before its curve would be sufficient for the wave to break of its own weight, as had been the case with its predecessors.

Suddenly there was a report as loud as that of a field-gun. The foresail had burst, going to pieces in great strips which snapped like huge whip-lashes once or twice and then disappeared to leeward.

But, at the moment when all hope seemed thus taken from them, the captain and the navigator were astonished to see the giant wave astern curl and go to pieces, just when it seemed as though in the next second it would have had the vessel in its grasp. They could hardly believe their own eyes, for they had counted on instant death as soon as the foresail had been blown out of the bolt-ropes.

"It's all right," shrieked the pilot; "we're in the channel, and the water here is too shallow for the waves to follow us through. That one broke on the five-fathom line. We'll round to under the lee of the western key and ride out the rest of the storm at anchor."

As the "Altamaha" sped through the channel, there were times when she had less than two feet of water under her keel, for the waves lifted and lowered the ship considerably, but the terrible masses of water that were breaking in sullen wrath on the southern edge of the keys could not pursue the vessel into such a shallow place. Invariably, when a wave reached the five-fathom line — the line where the water shoaled to a five-fathom depth — its farther progress was checked because the bottom held back the water, and the top of the wave, therefore, toppled over and broke. To the northward the ship found comparatively smooth water, because the hurricane waves' force was spent on the keys, and it

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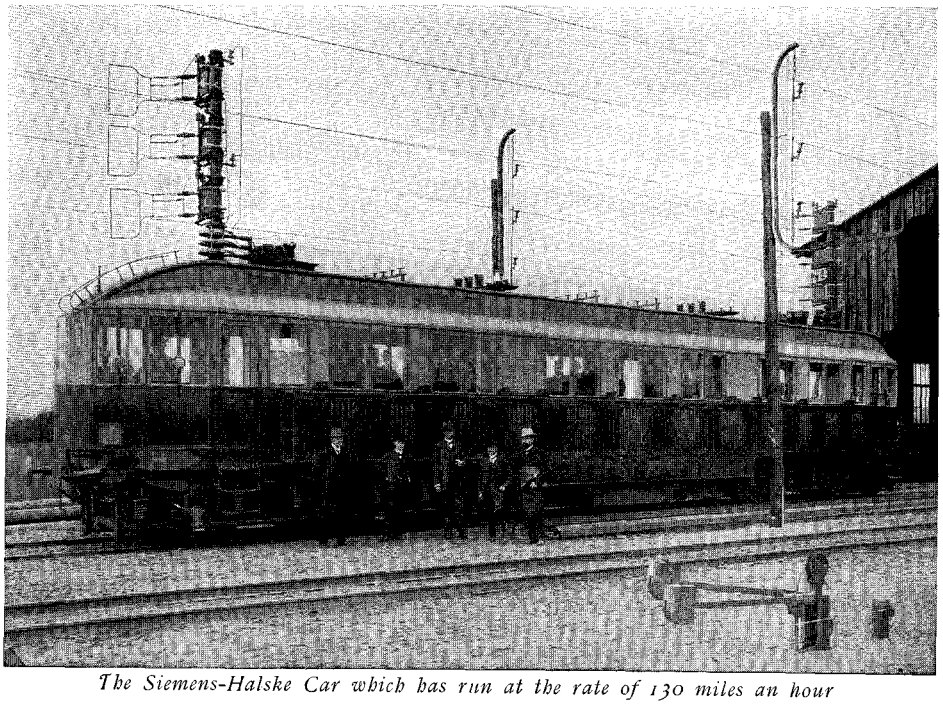
was easy to find good holding ground for her anchors, where she rode out the now retreating cyclone.

When, a couple of days later, with spars and rigging in place, the corvette made sail again and laid her course for Key West with favoring winds, few of the officers and crew knew that they all owed their lives to the skill and intuition of "Old Geiger."



The Siemens-Halske Car which has run at the rate of 130 miles an hour

A HUNDRED MILES AN HOUR

IMPRESSIONS WHILE SPEEDING ON THE FAMOUS GERMAN EXPERIMENTAL ROAD

BY

HENRY S. PRITCHETT

PRESIDENT MASSACHUSETTS INSTITUTE OF TECHNOLOGY

ILLUSTRATED WITH PHOTOGRAPHS

NOT many days ago the cable flashed the news that on an experimental road in the environs of Berlin, a car had been propelled at a speed of 130 miles an hour. For two years past and more the technical journals have given full descriptions of this road, of the progress of the experiments, and of the technical results which have been reached. I fancy, however, that the average American, who is not an electrical engineer, is less interested in these details than in the broader general results of the experiments.

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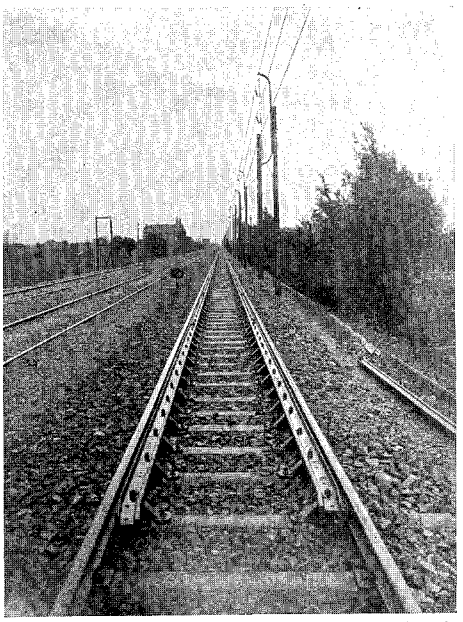
It is not the voltage, or means of transmitting the current, or the devices employed to operate the brakes, in which he is interested, but rather in the outcome of the whole thing. What sort of a road is it? What are the sensations of a passenger traveling at one hundred miles or more an hour? Are the experiments likely to lead to immediate practical results, and if so, where? To these questions I shall try to reply as well as one may from an experience gained in a day's ride and a day's talk with the engineers in charge of the experiment.

The experimental road is a single track, about 14 miles long, extending between Marienfelde and Zossen, in the environs of



The rigid, double-railed, heavy-tied road-bed

Berlin. The accompanying cut shows that it is a nearly straight track, the only curve of importance being one near the Zossen end, and even this is a very wide one, with a radius of perhaps 2,000 yards. The track is nearly level, the sharpest grade being about 29 feet to the mile. Over this nearly straight and nearly level track are stretched three copper trolley wires, which carry the high tension currents used in operating the cars.

When this track was first turned over by the Government for these experiments, some three years ago, it was an ordinary railroad track of standard gauge, of the type used throughout Prussia, laid with ordinary rails and metal ties, well ballasted. When the experiments reached a point where a speed of about 80 miles an hour was attained, the car began to oscillate violently, and the track to warp and bend. The rails were thereupon taken up and heavier ones laid down. Heavy wooden ties replaced the metal ones, and the old rails were set on them in special cast-iron chairs, in such way that the bottom flange of the old rail stands vertically along the inside of each heavy rail, and about two inches distant from its inner face. The nature of this construction is evident from a glance at the photograph of the track here reproduced. The result is a practically perfect road-bed and a rigid track.

Two cars have been used in the experiments, one constructed and operated by the engineers of the Siemens-Halske Company, the other by the engineers of the General Electric Company, the small element of rivalry thereby introduced being one of the interesting factors in the experiments. The cars differ but little in appearance and plan. Each car is about 77 feet long, and weighs about 90 tons, of which weight the electrical equipment forms about 45 per cent. Each is mounted on two six-wheel trucks, four of the axles carrying motors. The electric transformer, by which the current is changed into a high-tension current, is under the body of the car, between the trucks. Each car is planned to carry 50 passengers. The accompanying cut shows the Siemens-Halske car, just as it is being run out of the shed to begin a trial run. The men standing by it are the Siemens engineers, the one on the right being Herr Reichel, the chief engineer.

The power which propels the cars is furnished from a power plant situated on the line. The power is supplied by what is called a three-phase current of from 12,000 to 15,000 volts. The contact with the trolley wire is made, not through a trolley wheel such as is used in America, but by a metal bow, rubbing with a force of about five pounds, against the wire. These are the fundamental requisites for the problem; a track, a car, and a high tension current

As to the experiments themselves, the most suggestive thing to an American is the way in which they have been organized and carried forward, for this is entirely characteristic of German scientific methods.

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Twenty years ago we thought of German science as devoted almost wholly to investigations of the dative case and similar unpractical themes. However that may have been, the spirit of research, developed and trained in pure science, has proved a most powerful factor when once turned toward industrial problems, as it has come to be during these last fifteen years. The research habit, once considered so far removed from utilitarian ends, is to-day the greatest financial asset of the country. And the story of the Zossen electric road is a good example of the method in which research is to-day being directed in Germany, under thorough organization and for the accomplishment of the most practical ends.

The story of the experiments is this: Three years ago, or some such matter, the engineers in Berlin began to talk of this problem of high speed for electric passenger traffic. Whereupon all the people interested in such matters, the great electric firms, the iron manufacturers, the banks, said to each other: Go to! let us make a student society — a Studien-gesellschaft — for investigating this matter. And the society was thereupon formed, the firms supplying the money, the Government lending a track, and the engineers making the investigations. So that these experiments are all the work of this student association, and the results obtained are the fruits of a research applied in a spirit of pure science to a strictly utilitarian problem. And what are these results?

Step by step overcoming the difficulties of electric transmission, the difficulties of inadequate brakes and of imperfections of track, the Studien-gesellschaft has brought the experiment to a point where the cars are run day after day, with entire safety, at a speed of more than 120 miles an hour. Up to a speed of 100 miles an hour the experiments show that travel can be made comfortable, safe, and fairly economical, for three cars can be run at an expenditure of power only twenty per cent. greater than that required to run one. This is due to the fact that on a level, straight track most of the power is expended in overcoming the resistance of the air. After one reaches a speed of 100 miles an hour, every increase in the speed means a great increase in the cost.

In a ninety-ton car, and on such a track as that now in use, the sensation of the traveler in riding at this speed is far more commonplace than the speed would suggest. The only thing suggestive of danger which I experienced was the formidable paper which the President of the Deutsche Bank was good enough to furnish me, in which that institution generously undertook to be responsible to the Studien-gesellschaft for my death or injury in case of accident. This is a necessary formality before venturing on a ride on the experimental car, by reason of the strict laws in Prussia, under which transportation companies are directly liable for injury of passengers in transit.

Armed with this comforting document I joined the engineers at the end station, Marienfelde, one dull October morning. After a thorough testing by the engineers and mechanicians, the Siemens-Halske car was run slowly out of the shed. To an American, an interesting feature of the experiment was the presence of the Prussian major, who had in charge the railway track. It was the union of the military and civilian which one sees in all German undertakings. The major took no part in the experiment, except to see that the track was used at proper times, and that the cars were not run at dangerous speed. The day being partly foggy, he limited the running to the slow rate of 115 miles an hour.

I made two trips in each car over the 14 miles of track. At the end of the first mile the car was going 70 miles an hour; at the end of the second mile between 90 and 100. In fact, my interest was so aroused by the rapidity with which the speed indicator hand kept jumping up, that we were running a hundred miles an hour before I thought to look out of the window. When I did I was disappointed. It was evident we were traveling at tremendous speed, but the car was very steady, and there was nothing exciting. The sensation was about the same as that which a passenger on the Lake Shore Road gets when the train is running 70 miles an hour. Later, as I stood by the side of the motoneer, or with the brakeman at the rear, the sensation was far more vivid.

Standing just behind the motor-wheel in the front of the car, one is far nearer the track than he is when in a steam-engine; and the frightful rate at which the track is being devoured is more evident. The impact of flies, bees, and even birds upon the curved glass front of the car serves to

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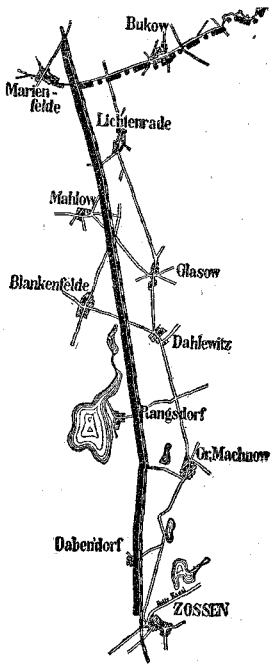
heighten the effect. I must confess that I held my breath as I saw the curve come in sight. Apparently the track ended, and the car seemed directed straight into the air at a speed sufficient to send it flying over into the German ocean. As it glided smoothly round the curve the sensation was something like that which one has in an express elevator in one of our American sky-scrapers when he is dropped from the fifteenth floor, and is not quite sure whether he will stop at the basement or go straight through to China.



The experimental road—about 14 miles long

Two incidents appealed to me as serving to show the speed at which the car was traveling. As one sees by the picture of the track to which I have referred, a double-track commercial line lies alongside the experimental road. We were constantly passing trains going in the same direction as ourselves, some of which were express trains making 40 to 50 miles an hour. The suddenness with which one passes a forty-mile-an-hour train when he is going from 100 to 110 miles an hour is something startling.

Midway of the track is a station called Dahlewitz, where a platform affords sight-seers a chance to see the experimental car at its maximum speed. From the Emperor down, all Berlin is interested in the doings of the Studien-gesellschaft, and on fine days a number of sight-seers congregate here to watch the car go by. Some members of the Studien-gesellschaft are said to prefer to make their studies from this vantage point, rather than as passengers. I had noticed this gathering of spectators on one of the trips, and made a mental note to have a look at them on the return ride. For this purpose I stood just back of the motoneer. A mile down the track I made out a group of persons on a platform, waving handkerchiefs. Almost immediately, as it seemed to me, we were abreast of them, and I turned to get a look at the faces twenty yards away. There were no faces—only a momentary confused blur.

This feature of fast running requires many modifications of railroad signals. Thus, a semaphore signal must be several times larger than the ordinary one, in order that the man running 100 miles an hour may see it in time to benefit by it.

The Studien-gesellschaft has accomplished practically all it started out to do. It has shown that on a properly prepared track electric trains may be safely run at a speed exceeding 100 miles an hour, and this within reasonable expense. The interesting question is: Will the results lead to the construction of such a road for commercial use in the near future?

That transportation by electric cars at 100 miles an hour or more will come, I have no question. When, and how it shall come, is now almost entirely a matter of commercial consideration. The requisites for it are a perfect track, nearly straight, and over a flat country, fairly cheap power, a line of considerable length, and a large traveling clientele upon which to draw.

It will be readily seen that high speed cannot be coupled with frequent stops, and, at present railway speeds, a line must be of considerable length to give any great advantage over steam roads. Thus, a hundred-mile-an-hour electric train between New York and Philadelphia has no very great advantage over steam trains. But such a train between New York and Chicago would enable one to leave New York at night and be in Chicago the next morning, thereby saving a whole day. This result will be attained when the capitalists

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have enough faith in such an enterprise to put their money in it. The electricians are ready for it now.

To an American interested in the industrial advancement of his own country, the most suggestive fact connected with these experiments is not that of the technical results attained, although these are of the greatest value. It is, rather, the Studiengesellschaft itself, and the organization under which capital and skill, financier and engineer, utilitarian purpose and scientific research, are yoked together to accomplish a given end. Such organization is typical of German industrial development to-day, and the spectacle is well worth our study. It is just this organization of diverse factors which has enabled a people living on a poor soil, under a hard climate, and maintaining a great military burden, to send its commerce to every sea and to stand to-day on even terms as a competitor with the richest nation on earth.

There is one figure in the Studien-gesellschaft which one never dares to forget. It is that of the Prussian major, in charge of the military roads. As he stands erect, hand on sword-hilt, behind the motoneer, he is a true impersonation of that alert, energetic, far-seeing leader, the German Emperor, who stands back of every phase of his nation's development, and who, more than any other leader on earth, is the impersonation of the world spirit which animates his people.

GENIUS

BY

FLORENCE WILKINSON

WHAT *seest thou on yonder desert plain,*
Large, vague, and void?
I see a city full of flickering streets;
I hear the hum of myriad engine-beats.
What seest thou?
I see a desert plain,
Large, vague, and void.

What seest thou in yonder human face,
Pale, frail, and small?
I see a soul by tragedy worn thin;
I read a page of poetry and of sin.
What seest thou?
I see a human face,
Pale, frail, and small.

What seest thou at yonder dim cross-roads
Beside that shuttered inn?
Untravelled Possibility,
The Inn of splendid Mystery.
What seest thou?
I see the dim cross-roads
Beside a shuttered inn.

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THE NEGRO: THE SOUTHERNER'S PROBLEM

BY

THOMAS NELSON PAGE

FIRST PAPER

SLAVERY AND THE OLD RELATION BETWEEN THE SOUTHERN WHITES AND BLACKS

ILLUSTRATED BY HENRY McCARTER (FRONTISPIECE)

I

AMONG the chief problems which have vexed the country for the last century and threaten to give yet more trouble in the future, is what is usually termed "The Negro Question." To the South, it has been for nearly forty years the chief public question, overshadowing all others, and withdrawing her from due participation in the direction and benefit of the National Government. It has kept alive sectional feeling; has inflamed partizanship; distorted party policies; barred complete reconciliation; cost hundreds of millions of money, and hundreds if not thousands of lives, and stands ever ready, like Banquo's Ghost, to burst forth even at the feast.

For the last few years it has appeared to be in process of being settled, and settled along the lines which the more conservative element of the white race at the South has deemed for the permanent good of both races, a view in which the best informed element at the North apparently acquiesced. The States which the greater part of the most ignorant element of the Negro race inhabited had substantially eliminated this element from the participation in political government, but had provided qualifications for suffrage which would admit to participation therein any element of the race sufficiently educated to meet what might appear a reasonable requirement. Meantime, the whites were taxing themselves heavily and were doing all in their power to give the entire race the education which would enable them to meet this requirement.

Those whites who know the race best and hold the most far-reaching conception of the subject maintain that this disfranchisement was necessary, and, even of the Negro race, those who are wisest and hold the highest ideal for their people acquiesced in this — at least, to the extent of recognizing that the Negroes at large needed a more substantial foundation for full citizenship than they had yet attained — and were preaching and teaching the imperative necessity of the race's applying its chief energies to building itself up industrially.

The South, indeed, after years of struggle, considered that the question which had confronted it and largely affected its policy for more than a third of a century was sufficiently settled for the whites to divide once more on the great economic questions on which hang the welfare and progress of the people. Suddenly, however, there has been a recrudescence of the whole question, and it might appear to those who base their opinion wholly on the public prints as though nothing had been accomplished towards its definite settlement in the last generation.

Only the other day, the President extended a casual social invitation to the

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most distinguished educator of the colored race: one who is possibly esteemed at the South the wisest and sanest man of color in the country, and who has, perhaps, done more than any other to carry out the ideas that the Southern well-wishers of his race believe to be the soundest and most promising of good results. And the effect was so unexpected and so far-reaching that it astonished and perplexed the whole country. On the other hand, this educator, speaking in Boston to his race in a reasonable manner on matters as to which he is a high authority, was insulted by an element, the leaders of which were not the ignorant members of his race, but rather the more enlightened: college-bred men and editors, and a riot took place in the church in which he spoke, in which red pepper and razors were used quite as if the occasion had been a "craps-game" in a Southern Negro settlement. The riot was quelled by the police; but, had it been in a small town, murder might easily have been done.

In view of these facts, it is apparent that the matter is more complicated than appears at first thought, and must be dealt with carefully.

One great trouble is the different way in which the body of the people at the North and at the South regard this problem. We have presented to us the singular fact that two sections of the same race, with the same manners and customs, the same traits of character, the same history and, until within a time so recent that the divergence is within the memory of living men, the same historical relation to the Negro race, should regard so vital a question from such opposite points; the one esteeming the question to be merely as to the legal equality of the races, and the other passionately holding it to be a matter that goes to the very foundation of race-integrity. What adds to the anomaly is the pregnant fact that the future of these two sections must hereafter run on together; their interests become ever more and more identified, and if the one is right in holding that its position is founded on a racial instinct, the other, in opposing it, is fighting against a position which it must eventually assume. Yet, their views have up to the present been so divergent, they have, indeed, been so diametrically opposed to each other, that if one is right, the other must be radically wrong.

Another difficulty in the way of a sound solution of the problem is the blind bigotry of the doctrinaire which infects so many worthy persons. An estimable gentleman from Boston, of quite national reputation, observed a short time ago that it was singular that the Southerners who had lived all their lives among the Negroes should understand them so little, while they of the North who knew them so slightly should yet comprehend them so fully. He spoke seriously and this was without doubt his sincere belief. This would be amusing enough were it not productive of such unhappy consequences. It represents the conviction of a considerable element. Because they have been thrown at times with a few well-behaved, self-respecting Negroes, or have had in their employ well-trained colored servants, they think they know the whole subject better than those who, having lived all their life in touch with its most vital problems, have come to feel in every fiber of their being the deep significance of its manifestations. Such a spirit is the most depressing augury that confronts those who sincerely wish to settle the question on sound principles.

With a Negro population which has increased in the last forty years from four and a half millions to nine millions, of whom eight millions inhabit the South and four and a half millions inhabit the six Southern Atlantic and Gulf States, where in large sections they outnumber the whites two and three to one, and in some parishes ten and twenty to one,* with this population owning less than 4 per cent. of the property and furnishing from 85 to 93 per cent. of the total number of criminals; with the two races drifting further and further apart, race-feeling growing, and with ravishing and lynching spreading like a pestilence over the country, it is time that all sensible men should endeavor as far as possible to dispel preconceived theories and look at the subject frankly and rationally.

It must appear to all except the doctrinaire and those to whose eyes, seared by the red-hot passions of the War and the yet more angry passions of the Reconstruction Period, no ray of light can ever come, that it is of vital importance that

* The Negro population in 1860 was, in the Slave States, 4,215,614; in the other States it was 226,216, a total of 4,441,830. In 1900 the Negro population in the Southern States and the District of Columbia was 8,081,270.

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a sound solution of the problem should be reached. It behooves all who discuss it to do so in the most dispassionate and catholic spirit possible. The time has alike passed for dealing with the matter either in a spirit of passion or of cock-sure conceit. Well meaning theorists, and what Hawthorne termed, "those steel machines of the Devil's own make, philanthropists," have with the best intentions made a mess of the matter. And after nearly forty years, in which money, brains, philanthropy, and unceasing effort have been poured out lavishly, the most that we have gotten out of it is the experience that forty years have given, and a sad experience it is. The best-informed, the most clear-sighted and straight-thinking men of the North, admit sadly that the experiment of Negro suffrage, entered into with so much enthusiasm and sustained at so frightful a cost, has proved a failure, as those who alone knew the Negro when the experiment was undertaken prophesied it must, in the nature of things, prove. Only those who, having eyes, see not, and ears, but will not hear, still shut their senses and, refusing to take in the plain evidences before them, babble of out-worn measures — measures that never had a shred of economic truth for their foundation, and, based upon passion, have brought only disaster to the whites and little benefit to those whom they were intended to uplift.

Two principles may be laid down to which, perhaps, all will assent. First, it is absolutely essential that a correct understanding of the question should be had; and, secondly, the only proper settlement of it is one that shall be founded on justice and wisdom — a justice which shall embrace all concerned.

II

It is important that, at the very outset, we should start with proper bearings. Therefore, though it would hardly appear necessary to advert to the historical side of the question, yet so much ignorance is displayed about it in the discussion that goes on, that, perhaps, the statement of a few simple historical facts will serve to throw light on the subject and start us aright.

Until a recent period, slavery existed as an institution almost all over the world. Christianity, while it modified its status, recognized it, and, up to the time of its abolition, those who defended it drew their strongest arguments from the sacred writings. Pious Puritans sent their ships to ply along the middle passage, and deemed that they were doing God and man a service to transport benighted savages to serve an enlightened and Christian people. Pious and philanthropic churchmen bought these slaves as they might have bought any other chattels.

The abolition of slavery came about gradually, and was due rather to economic than to moral reasons. When, in 1790, slavery was abolished, by a more or less gradual system, in the Northern States, it was chiefly because of economic conditions. There were at that time less than 42,000 slaves in all the Northern States, and the system was not profitable there; whereas there were over 700,000 slaves in the Southern States, and it appeared that the system there was profitable. But the balance had not then been struck.

Though a respectable party of the representatives of the Southern States advocated its abolition at that time, it was retained because of economic conditions. From these facts, which are elementary, one cannot avoid the conclusion that whatever difference existed between the relation of the races in various sections was due to economic causes rather than to moral or religious feeling. In fact, during the Colonial period, so far from slavery having any moral aspect to the great body of the people, it was regarded as a beneficent institution. The Quakers, a sect who, having known oppression themselves, knew how to feel for the oppressed, and a small proportion of the most far-seeing in both sections, were exceptions. Thomas Jefferson, for instance, was as strong an advocate of emancipation as James Otis.*

When the principle that all men are created equal was enunciated in the Declaration of Independence, a great majority of those who signed it had no idea of embracing within its category the enslaved Africans. To have done so would have been to stultify themselves. And whether or not Thomas Jefferson at heart felt the far-reaching scope of his enunciation, he gave no evidence of it at the time.

The Negro was discussed and legislated about as a chattel by the very men who

* By the census of 1781, there were in Virginia 12,866 free Negroes.

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issued that great charter. The whites had conquered this country from the savage and the wild, and they had no misgivings about their rights.

The inclusion of three-fifths of the Negroes in the representation of the several States was stated by Jefferson to have grown out of the claim made by Adams and certain other Northern representatives that they should be taxed just as the whites were taxed, every slave being counted just as every white laborer was counted. This view the Southerners opposed and the matter was adjusted by a compromise which reckoned only three out of every five slaves.*

It was, however, impossible that the spirit of liberty should be so all-pervading and not in time be felt to extend to all men—even to the slaves; but the growth of the idea was slow, and it was so inextricably bound up with party questions that it was difficult to consider it on its own merits. To show this, it is only necessary to recall that, in 1832, Virginia, through her Legislature, came within one vote of abolishing slavery within her borders, and that, in 1835, William Lloyd Garrison was dragged through the streets of Boston by a mob—an outrage which he says was planned and executed, not by the rabble or working-men, but "by gentlemen of property and standing from all parts of the city." †

Fugitive-slave laws and the attempt to enforce them against the sentiment of communities where slavery was opposed, played their part in fostering a sentiment of championship of the Negro race.

Then came "Uncle Tom's Cabin," which was the nail that, in the hands of a woman, fastened Sisera to the ground. It presented only one side of the question and did more, perhaps, than any one thing that ever occurred to precipitate the War. It aroused and crystallized feeling against the South throughout the world. For the first time, the world had the imaginable horrors of slavery presented in a manner that appealed alike to old and young; the learned and the ignorant; the high-born and the lowly. It blackened the fame of the Southern people in the eyes of the North and fixed in the mind of the North a conception not only of the institution of slavery, but of the Southern people, which lasted for more than a generation, and has only begun of late, in the light of a fuller knowledge, to be dislodged.*

* See Randolph's "Life of Jefferson," Vol. I, pp. 22–24.

† "Life of William Lloyd Garrison," Vol. II, p. 35, and *Liberator*, No. 5, p. 197.

III

Mr. Lincoln has been so generally declared the emancipator of the Negro race that it is probable the facts in all their significance will never be generally received. Emancipation was no doubt his desire; but the Preservation of the Union was his passion. And, whatever Mr. Lincoln may have felt on the subject of emancipation, he was too good a lawyer and too sound a statesman to act with the inconsiderate haste that has usually been accredited him. It was rather what he might do than what he actually did that alarmed the South and brought about secession. And the menace of destruction of the Union soon demanded all his energies and forced him to relegate to the background even the emancipation of the slaves.†

On the 22d of December, 1860, after South Carolina had seceded, he declared that the South would be in no more danger of being interfered with as to slavery by a Republican administration than it was in the days of Washington. In his inaugural address he declared: "I have no more purpose, directly or indirectly, to interfere with the Institution of Slavery in the States where it now exists. I believe I have no right to do so and I have no inclination to do so."

Congress, in July, 1861, adopted a resolution, which Lincoln signed, declaring that war was not waged for any "purpose of overthrowing or interfering with the rights or established institutions" of the Southern States, "but to defend and maintain the supremacy of the Constitution and to preserve the Union with all the dignity, equality and rights of the several States unimpaired," etc. As late as March, 1862, he declared: "In my judgment, gradual and not sudden emancipation is

* An illustration of this may be found in T. W. Dwight's paper on the Dred Scott case in Johnson's Universal Cyclopedia, where he refers to the fact that, in the Dred Scott case, Chief Justice Taney's learned opinion, reviewing historically the attitude of the people towards the African race at the time of the adoption of the Constitution, has been generally taken as giving his own opinion. Even the senior Senator from Massachusetts has recently been reported as quoting this as Chief Justice Taney's opinion. But see Tyler's "Life of Chief Justice Taney."

† Horace Greeley's old paper, the *New York Tribune*, has recently, in commenting on a statement made by the successor of Henry Ward Beecher, felt compelled to declare that the War was primarily undertaken to save the Union and not to emancipate slaves.

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best for all." The special message to Congress on this subject Thaddeus Stevens stigmatized as "about the most diluted milk-and-water gruel proposition that has ever been given to the American people."* The War had been going on more than a year before a bill was passed providing that all "slaves of persistent Rebels, found in any place occupied or commanded by the forces of the Union, should not be returned to their masters (as had hitherto been done under the law), and they might be enlisted to fight for the Union." Mr. Lincoln's Emancipation Proclamation of January 1, 1863, declares on its face that it was issued on "military necessity."

In fact, this proclamation did not really emancipate at all, for it applied only to those slaves who were held in those States and "parts of States" then "in rebellion," and by express exception did not extend to Negroes within the territory under control of the Federal Government.

It is of record that, in some instances, owners near the Federal lines sent their servants into the territory occupied by the Federal troops to evade the proclamation.

A story is told of an officer under General Butler, on the James River, who, having a Negro baby left on his hands by a refugee mother who had returned to her home, sent the child back to her. Someone reported that he was sending refugee Negroes back and the matter was investigated. His defense was that he had sent the baby back to the only place where he was free, to wit: within the region occupied by the rebels.

Meantime, there was much reflection and no little discussion as to the subject among the Southern people. The loyalty of the Negroes had made a deep impression on them, and they were beginning to recognize the feeling of the European countries touching slavery. †

The Thirteenth Amendment (abolishing slavery) failed to pass in the spring of 1864 and was not passed until January 31, 1865, when all the Republicans and thirteen Democrats voted for it. Slavery, however, was abolished by the final conquest of the South and the enforced acquiescence of the Southern people, who recognized that the collapse of the Confederacy had effected what legal enactments had not been able to accomplish. Returning soldiers brought their body-servants home with them, and on arrival informed them that they were free; in some instances giving them the horses they had ridden, or dividing with them whatever money they had.* Throughout the South, the Negroes were told by their owners that they were free, in some cases receiving regular papers of manumission.

IV

No race ever behaved better than the Negroes behaved during the War. Not only were there no massacres and no outbreaks, but even the amount of defection was not large. While the number who entered the Northern Army was considerable‡, it was not as great as might have been expected when all the facts are taken into account. A respectable number came from the North, while most of the others came from the sections of the South which had already been overrun by the armies of the Union and where mingled persuasion and compulsion were brought to bear.‡ Certainly no one could properly blame them for yielding to the arguments used. Their homes were more or less broken up; organization and discipline were relaxed, and the very means of subsistence had become precarious; while on the other hand they were offered bounties and glittering rewards that drew into the armies hundreds of thousands of other nationalities. The number that must be credited to refugees who left home

* Lincoln's paramount object, as he boldly avowed in his wonderful letter of August 22, 1862, to Horace Greeley, was "to save the Union, and not either to save or destroy slavery." —Cong. Globe, 2d Session, 37th Congress, Pt. II, p. 1154.

† General R. E. Lee emancipated his servants within eight days after the proclamation was issued. On the 8th of January, 1863, he wrote from his camp that he had executed and returned to his lawyer a deed of manumission which he had had prepared by him. He had discovered the omission of certain names and had inserted them. And he added that if any other names had been omitted, he wished a supplementary deed drawn up containing all that had been so omitted. "They are all entitled to their freedom," he writes, "and I wish to give it to them. Those that have been carried away, I hope, are free and happy. I cannot get their papers to them and they do not require them. I will give them if they call for them." See "Life of General R. E. Lee," by Fitzhugh Lee.

General Henry A. Wise, one of the most ultra-Democratic leaders in the South, states that, had the South succeeded in its struggle, he had intended to set his slaves free and canvass Virginia for the abolition of slavery. See Report of Joint Commission on Reconstruction, 1st Session, 39th Congress, p. 70.

* The writer recalls vividly one such case when his father returned from Appomattox: "Ralph," he said, as he dismounted at his door; "you are free. You have been a good servant. Turn the horses out." Ralph is still living.

† The total number of colored troops enlisted during the war was 186,097. — "Statistical Records of the Armies of the United States," by Frederick Phisterer, late Captain, U. S. A.

‡ There was a growing sentiment in favor of enlisting the Negroes to fight the Confederacy, and a number of regiments were enlisted. One of these was enlisted in New Orleans; two were enlisted in Virginia.

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in the first instance for the purpose of volunteering to fight for freedom, is believed by the writer to be not large; personally, he never knew of one. However large the number was, the number of those who might have gone, and yet threw in their lot with their masters and never dreamt of doing otherwise, was far larger. Many a master going off to the War entrusted his wife and children to the care of his servants with as much confidence as if they had been of his own blood. They acted rather like clansmen than like bondmen. Not only did they remain loyal, but they were nearly always faithful to any trust that had been confided to them. They were the faithful guardians of their masters' homes and families; the trusted agents and the shrewd counselors of their mistresses. They raised the crops which fed the Confederate Armies, and suffered without complaint the privations which came alike to white and black from the exactions of war. On the approach of the enemy, the trusted house servants hid the family silver and valuables, guarded horses and other property, and resisted all temptation to desert or betray. It must, of course, rest always on conjecture; but the writer believes that, had the Negro been allowed to fight for the South, more of them would have volunteered to follow their masters than ever volunteered in the service of the Union. Many went into the field with their masters, where they often displayed not only courage but heroism, and, notwithstanding all temptations, stood by them loyally to the end. As Henry Grady once said, "A thousand torches would have disbanded the Southern Army, but there was not one."*

The inference that has been drawn from this is usually one which is wholly in favor of the colored race. It is, however, rather a tribute to both races. Had slavery at the South been the frightful institution that it has ordinarily been pictured, with the slave-driver and the bloodhound always in the foreground, it is hardly credible that the failure of the Negroes to avail themselves of the opportunities for freedom so frequently offered them would have been so general and the loyalty to their masters would have been so devoted.

One other reason is commonly overlooked. The instinct for command of the white race — at least, of that section to which the whites of this country belong — is a wonderful thing: the serene self-confidence which reckons no opposition, but drives straight for the highest place, is impressive. It made the race in the past; it has preserved it in our time. The Negroes knew the constancy and courage of their masters. They had had abundant proof of it for generations, and their masters were now in arms. The failure of a servile population to rise against their masters in time of war is no new thing. History furnishes many illustrations. Plutarch tells how the besiegers of a certain city offered, not only freedom to the slaves, but added to it the promise of their masters' property and wives if they would desert them. Yet the offer was rejected with scorn. During the Revolution, freedom on the same terms was offered the slaves in Virginia and the Carolinas by the British General, but with little effect, except to inflame the masters to bitterer resistance. The result was the same during the Civil War.

V

The exactions of the War possibly brought the races nearer together than they had ever been before. There had been, in times past, some hostile feeling between the Negroes and the plain whites, due principally to the well-known arrogance of a slave population towards a poor, free, working population. This was largely dispelled during the War, on the one side by the heroism shown by the poor whites, and on the other by the kindness shown by the Negroes to their families while the men were in the army. When the War closed, the friendship between the races was never stronger; the relations were never more closely welded. The fidelity of the Negroes throughout the War was fully appreciated and called forth a warmer affection on the part of the masters and mistresses, and the care and self-denial of the whites were equally recognized by the Negroes. Nor did this relation cease with the emancipation of the Negro. The return of the masters was hailed with joy in the quarters as in the mansion. When the worn and

* The writer never heard of a body-servant deserting, and he knows of sundry instances when they had abundant opportunity. In some cases they would vanish for days and then reappear, laden with spoils that they had gotten from the enemy. The body-servant of the writer's father, having been punished for some dereliction of duty while before Petersburg, in 1865, ran away, but, though he could easily have crossed through the lines not three miles away, he walked sixty miles and came home.

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disheartened veteran made his last mile on his return from Appomattox, it was often the group of Negroes watching for him at the plantation gate that first caught his dimmed eye and their shouts of welcome that first sounded in his ears.

A singular fact was presented which has not been generally understood. The joy with which the slaves hailed emancipation did not relax the bonds of affection between them and their former masters and mistresses. There was, of course, *ex necessitate rei*, much disorganization, and no little misunderstanding. The whites, defeated and broken, but unquelled and undismayed, were unspeakably sore; the Negroes, suddenly freed and facing an unknown condition, were naturally in a state of excitement. But the transition was accomplished without an outbreak or an outrage, and, so far as the writer's experience and information go, there was not on either side an instance of insolence, rudeness, or ill-temper, incident to the break-up of the old relation. This was reserved for a later time, when a new poison had been instilled into the Negro's mind and had begun to work. Such disorders as occurred were incident to the passing through the country of disbanded troops, making their way home without the means of subsistence, but even these were sporadic and temporary.

For years after the War the older Negroes, men and women, remained the faithful guardians of the white women and children of their masters' families.*

One reason which may be mentioned for the good-will that continued to exist during this crisis, and has borne its part in preserving kindly relations ever since, is that, among the slave-owning class, there was hardly a child who had not been rocked in a colored mammy's arms and whose first ride had not been taken with a Negro at his horse's head; not one whose closest playmates in youth had not been the young Negroes of the plantation. The entire generation which grew up during and just after the War, grew up with the young Negroes, and preserved for them the feeling and sympathy which their fathers had had before them. This feeling may hardly be explained to those who have not known it. Those who have known it will need no explanation. It possibly partakes somewhat of a feudal instinct; possibly of a clan instinct. It is not mere affection; for it may exist where affection has perished and even where its object is personally detested. Whatever it is, it exists universally with those who came of the slave-holding class in the South, who knew in their youth the Negroes who belonged to their family, and, no matter what the provocation, they can no more divest themselves of it than they can of any other principle in their lives.

* During the disorders following the War, the older Negroes at the writer's home were armed and stood guard over the ripened crops.

NOTE.—In the April number Mr. Page will continue the discussion in a second paper.

THE COLONEL AND THE HORSE-THIEF

BY

REX E. BEACH

AUTHOR OF "THE MULE DRIVER AND THE GARRULOUS MUTE"

ILLUSTRATED BY WILL CRAWFORD

THOSE marks on my arm? Oh! I got 'em playin' horse-thief. Yes, playin'. I wasn't a real one, you know— Well, I s'pose it was sort of a queer game. Came near bein' my last, too, and if Black Hawk hadn't been the best horse in Texas the old Colonel would've killed me sure. He chased me six miles as it was—me with one arm full of his buckshot and anxious to explain, and him strainin' to get in range again and not wishin' any further particulars.

That was way back in the sixties, when

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I was as wild a lad as ever straddled a pony.

You see, five of us had gone over into the Crow Nation to race horses with the Indians, and it was on the way back that the old man and the bullet holes figger in the story.

At the beginnin' it was Jim Barrett's plan, and it had jest enough risk and devilment in it to suit a harum-scarum young feller like me; so we got five of the boys who had good horses, lumped together all of our money, and rode out to invade the reservation.

You know how an Indian loves to run horses? Well, the Crows had a good deal of money then, and our scheme was to go over there, get up a big race, back our horses with all we had, and take down the wealth.

Takin' chances? Don't you believe it. That's where the beauty of Jim's plan commenced to sort of shine through.

You see, as soon as the money was up and the horses started, every Indian would be watchin' the race and yellin' at the nags, then, in the confusion, our boys was to grab the whole pot, Indians' money and ours too, and we'd make our get away across the river back into Texas.

We figured that we could get a few minutes start of 'em, and, with the horses we had under us, there wasn't much danger of their gettin' in range before we crossed back to where they couldn't follow us.

Well, sir! I never see anything work out like that scheme did. Them Crows was dead anxious to run their ponies and seemed skeered that we wouldn't let 'em get all their money up.

As we was eatin' supper the night before the race, Donnelly says: "Boys, I'm sore that we didn't have more coin. If we'd worked 'em right they'd 'a' give us odds. We could 'a' got five to three anyhow, and maybe more."

"They shore have got a heap of confidence in them skates of their'n," says "Kink" Martin. "I never see anybody so anxious to play a race in my life. If it wasn't all planned out the way it is, I'd like to stick and see which hoss is the best. I'd back Black Hawk agin any hunk of meat in the Territory, with the Kid here in the saddle."

They'd ribbed it up for me to ride Martin's mare, Black Hawk, while a little feller named Hollis rode his own horse.

Donnelly's part was to stay in the saddle and keep the other horses close to Barrett and Martin. They was to stick next to the money, and one of 'em do the bearin' off of the booty while the other made the protection play.

We hoped, in the excitement, to get off without harmin' any of Uncle Sam's pets, but all three of the boys had been with the Rangers and I knew if it came to a show down, they wouldn't hesitate to "pot" one or two in gittin' away.

We rode out from camp the next mornin' to where we'd staked out a mile track on

"seemed skeered that we wouldn't let 'em get all their money up"

the prairie and it seemed as if the whole Crow Nation was there, and nary a white but us five.

They'd entered two pretty good-lookin' horses and had their jockeys stripped down to breech-clouts, while Hollis and me wore our whole outfits on our backs, as we didn't exactly figger on dressin' after the race, leastways, not on that side of the river.

Just before we lined up, Jim says: "Now you all ride like ——, and when you git to the far turn we'll let the guns loose and stampede the crowd. Then jest

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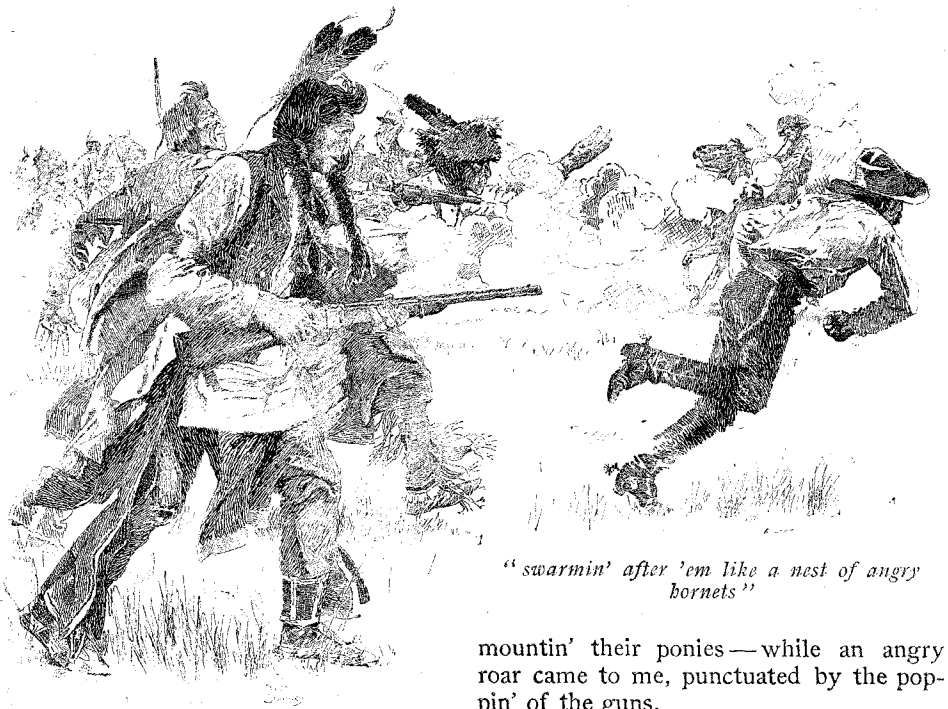

"swarmin' after 'em like a nest of angry hornets"

leave the track and make a break fer the river, everybody fer himself. We'll all meet at them cottonwoods on the other side, so we can stand 'em off if they try to swim across after us."

That would have been a sure enough hot race if we had run it out, for we all four got as pretty a start as I ever see and went down the line all together with a-bangin' of hoofs and Indian yells ringin' in our ears.

I had begun to work Black Hawk out of the bunch to get a clear start across the prairie at the turn, when I heard the guns begin snappin' like pop-corn.

"They've started a'ready," yelled Hollis, and we turned the rearin' horses toward the river, three miles away, leavin' them two savages tearin' down the track like mad.

I glanced back as I turned, but, instead of seein' the boys in the midst of a decent retreat, the crowd was swarmin' after 'em like a nest of angry hornets, while Donnelly, with his reins between his teeth, was blazin' away at three reds who were right at Barrett's heels as he ran for his horse. Martin was lashin' his jumpin' cayuse away from the mob which sputtered and spit angry shots after him. Bucks were runnin' here and there and hastily mountin' their ponies — while an angry roar came to me, punctuated by the pop-pin' of the guns.

Hollis and I reached the river and swam it half a mile ahead of the others and their yellin' bunch of trailers, so we were able to protect 'em in their crossin'.

I could see from their actions that Bennett and Martin was both hurt and I judged the deal hadn't panned out exactly accordin' to specifications.

The Crows didn't attempt to cross in the teeth of our fire, however, being satisfied with what they'd done, and the horses safely brought our three comrades drippin' up the bank to where we lay takin' pot-shots at every bunch of feathers that approached the opposite bank.

We got Barrett's arm into a sling, and, as Martin's hurt wasn't serious, we lost no time in gettin' away.

"They simply beat us to it," complained Barrett, as we rode south. "You all had jest started when young Long Hair grabs the sack and ducks through the crowd, and the whole bunch turns loose on us at once. We wasn't expectin' anything so early in the game, and they winged me the first clatter. I thought sure it was off with me when I got this bullet in the shoulder, but I used the gun in my left hand and broke for the nearest pony."

"They got me, too, before I saw what was up," added Martin; "but I tore out of

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there like a jack-rabbit. It was all done so cussed quick that the first thing I knew I'd straddled my horse and was makin' tracks. Who'd a thought them durned Indians was dishonest enough fer a trick like that?"

Then Donnelly spoke up and says: "Boys, as fur as the coin goes, we're out an' injured; we jest made a 'Mexican stand-off'—lost our money, but saved our lives—and mighty lucky at that, from appearances. What I want to know now is, how we're all goin' to get home, clean across the State of Texas, without a dollar in the outfit, and no assets but our guns and the nags."

That was sure a tough proposition, and we had left it teetotally out of calculations. We'd bet every bean on that race, not seein' how we could lose. In them days there wasn't a railroad in that section, ranches were scatterin', and people weren't givin' pink teas to every stranger that rode up—especially when they were as hard-lookin' as we were.

"We've got to eat, and so's the horses," says Hollis, "but no rancher is goin' to welcome with open arms as disreputable an outfit as we are. Two men shot up, and the rest of us without beddin', grub, money, or explanations. Them's what we need—explanations. I don't exactly see how we're goin' to explain our fix to the honest hay-diggers, either. Everybody'll think some sheriff is after us, and two to one they'll put some officer on our trail, and we'll have more trouble. I believe I've had all I want for a while."

"I'll tell you how we'll work it," I says. "One of us'll be the sheriff of Guadalupe County, back home, with three deputies, bringin' back a prisoner that we've chased across the State. We'll ride up to a ranch an' demand lodgin' for ourselves and prisoner in the name of the State of Texas and say that we'll pay with vouchers on the county in the morning."

"No, sir! not fer me," says Martin. "I'm not goin' in fer forgery. It's all right to practice a little mild deception on our red brothers, as we figgered on doing, but I'm not goin' to try to flimflam the State of Texas. Our troubles 'd only be startin' if we began that game."

"Your plan's all right, Kid," says Bennett to me. "You be the terrible desperado that I'm bringin' home after a bloody fight, where you wounded Martin and me, and 'most escaped. You'll have ev'ry rancher's wife givin' you flowers and weepin' over your youth and kissin' you good-by. In the mornin', when we're ready to go and I'm about to fix up the vouchers for our host, you break away and ride like the devil. We'll all tear off a few shots and foller in a hurry, leavin' the farmer hopin' that the villain is recaptured and the girls tearfully prayin' that the gallunt and misguided youth escapes."

It seemed to be about our only resort, as the country was full of bad men, and we were liable to get turned down cold if we didn't have some story, so we decided to try it on.

We rode up to a ranch 'bout dark, that night, me between the others, with my hands tied behind me, and Jim called the owner out.

"I want a night's lodgin' fer my deputies and our prisoner," he says. "I'm the sheriff of Guadalupe County, and I'll fix up the bill in the mornin'."

"Come in! Come in!" the feller says, callin' a man for the horses. "Glad to accommodate you. Who's your prisoner?"

"That's Texas Charlie that robbed the Bank of Euclid single-handed," answers Jim. "He give us a long run clean across the State, but we got him jest as he was gettin' over into the Indian Territory. Fought like a tiger."

It worked fine. The feller, whose name was Morgan, give us a good layout for the night and a bully breakfast next morning.

That desperado game was simply great. The other fellers attended to the horses, and I jest sat around lookin' vicious, and had my grub brought to me, while the women acted sorrowful and fed me pie and watermelon pickles.

When we was ready to leave next morning, Jim says: "Now, Mr. Morgan, I'll fix up them vouchers with you," and givin' me the wink, I let out a yell, and jabbin' the spurs into Black Hawk, we cleared the fence and was off like a puff of dust, with the rest of 'em shootin' and screamin' after me like mad.

Say! it was lovely—and when the boys overtook me, out of sight of the house, Morgan would have been astonished to see the sheriff, his posse, and the terrible desperado doubled up in their saddles laughin' fit to bust.

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Well, sir! we never had a hitch in the proceedings for five days, and I was gettin' to feel a sort of pride in my record as a bank-robber, forger, horse-thief, and murderer, accordin' to the way Bennett presented it. He certainly was the boss liar of the range.

He had a story framed up that painted me as the bloodiest young tough the Lone Star had ever produced, and it never failed to get me all the attention there was in the house.

One night we came to the best lookin' place we'd seen, and, in answer to Jim's summons, out walked an old man, followed by two of the prettiest girls I ever saw, who joined their father in invitin' us in.

"Glad to be of assistance to you, Mr. Sheriff," he said. "My name is Purdy, sir! Colonel Purdy, as you may have heard. In the Mexican War, special mention three times for distinguished conduct. These are my daughters, sir! Annabel and Marie." As we went in, he continued: "You say you had a hard time gettin' your prisoner? He looks young for a criminal. What's he wanted for?"

"cooed over him and took turns feedin' him till it made me sick"

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Somehow, when I saw those girls blushin' and bowin' behind their father, I didn't care to have my crimes made out any blacker'n necessary and I tried to give Jim the high-sign to let me off easy — just make it forgery or arson — but he was lookin' at the ladies, and evidently believin' in the strength of a good impression, he said: "Well, yes! He's young but they never was a old man with half his crimes. He's wanted for a good many things in different places, but I went after him for horse-stealin' and murder. Killed a rancher and his little daughter, then set fire to the house and ran off a bunch o' stock."

"Oh! Oh! How dreadful!" shuddered the girls, backin' off with horrified glances at me.

I tried to get near Jim to step on his foot, but the old man was glarin' at me somethin' awful.

"Come to observe him closely, he has a depraved face," says he. "He looks the thorough criminal in every feature; dead to every decent impulse, I s'pose."

I could have showed him a live impulse that would have surprised him about then.

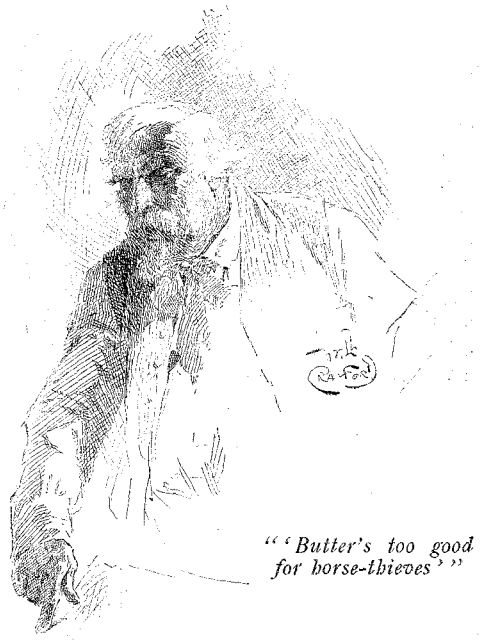
In those days I was considered a pretty handsome feller too, and I knew I had Jim beat before the draw on looks, but he continues makin' matters worse.

"Yes, and he's desperate too. One of the worst I ever see. We had an awful fight with him up here on the line of the Territory. He shot Martin and me before we got him. Ye see, I wanted to take him alive, and so I took chances on gettin' hurt.

"Thank ye, Miss; my arm does ache considerable; of course, if you'd jest as soon dress it — Oh, no! I'm no braver'n anybody else, I guess. Nice of ye to say so, anyhow," and he went grinnin' out into the kitchen with the girls to fix up his arm.

The old man insisted on havin' my feet bound together and me fastened to a chair, and said: "Yes, yes, I know you can watch him, but you're in my house now, and I feel a share of the responsibility upon me. I've had experience with desperate characters and I'm goin' to be sure that this young reprobate don't escape his just punishment. Are you sure you don't need more help gettin' him home? I'll go with you if——"

"Thank ye," interrupted Hollis. "We've chased the scoundrel four hundred miles,



"'Butter's too good for horse-thieves'"

and I reckon, now we've got him, we can keep him."

At supper, Jim, with his arm in a new sling, sat between the two girls who cooed over him and took turns feedin' him till it made me sick.

The old man had a nigger move my chair up to the foot of the table and bring me a plate of coarse grub after they all finished eatin'.

He had tied my ankles to the lower rung of the chair himself, and when I says to the nigger, "Those cords have plum stopped my circulation, just ease 'em up a little," he went straight up.

"Don't you touch them knots, Sam!" he roared. "I know how to secure a man, and don't you try any of your games in my house, either, you young fiend. I'd never forgive myself if you escaped."

I ate everything I could reach, which wasn't much, and when I asked for the butter he glared at me and said: "Butter's too good for horse-thieves; eat what's before you."

Every time I'd catch the eye of one of the girls and kind of grin and look enticing, she'd shiver and tell Jim that the marks of my depravity stood out on my face like warts on a toad.

Jim and the boys would all grin like idiots and invent a new crime for me.

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On the square, if I'd worked nights from the age of three I couldn't have done half they blamed me for.

They put it to the old man so strong that when he turned in he chained me to Sam, the cross-eyed nigger that stood behind me at supper, and made us sleep on the floor.

I told Sam that I cut a man's throat once because he snored, and that nigger never closed an eye all night. I was tryin' to get even with somebody.

After breakfast, when it came time to leave, Donnelly untied my feet and led me

"let drive with his old blunderbuss"

out into the yard, where the girls were hangin' around the Colonel and Jim, who was preparin' to settle up.

As we rode up the evening before, I had noticed that we turned in from the road through a lane, and that the fence was too high to jump, so, when I threw my leg over Black Hawk, I hit Donnelly a swat in the neck, and, as he did a stage-fall, I swept through the gate and down the lane.

The old man cut the halter off one of his Mexican war-whoops, and broke through the house on the run, appearin' at the front door with his shot-gun just as I checked up to make the turn out o' the main road.

As I swung around, doubled over the horse's neck, he let drive with his old blunderbuss, and I caught two buckshot in my right arm where you see them marks.

I had sense enough to hang on and ride for my life, because I knew the old fire-eater would reckon it a pleasure to put an end to such a wretch as me, if he got half a chance.

I heard him howl "Come on boys! We'll get him yet," and, over my shoulder, I saw him jump one of his loose horses standin' in the yard and come tearin' down the lane, ahead of the befuddled sheriff and posse, his white hair streamin' and the shot-gun wavin' aloft, as though chargin' an army of greasers at the head of his regiment.

From the way he drew away from the boys, I wouldn't have placed any money that he was wrong either.

I've always wondered how the old man ever got through that war with only three recommendations to the government.

He certainly kept good horses too, for in five minutes we'd left the posse behind, and I saw him madly urgin' his horse into range, reloadin' as he came.

As I threw the quirt into the mare with my good arm, I allowed I'd had about all the horse-stealin' I wanted for a while.

The old devil finally saw he was losin' ground in spite of his best efforts, and let me have both barrels. I heard the shot patter on the hard road behind me, and hoped he'd quit and go home, but I'm blamed if he didn't chase me five miles further before turnin' back, in hopes I'd cast a shoe or something would happen to me.

I believe I was on the only horse in Texas that could have outrun the Colonel and his that mornin'.

About noon I stopped at a blacksmith's shop, half dead with pain, and had my arm dressed and a big jolt of whisky.

As the posse rode up to me, sittin' in the sun by the lathered flanks of my horse and nursin' my arm, Jim yells out: "Here he is! Surround him, boys! You're our prisoner!"

"No! I'm blamed if I am," I says. "You'll have to get another desperado. After this, I'm the sheriff!"

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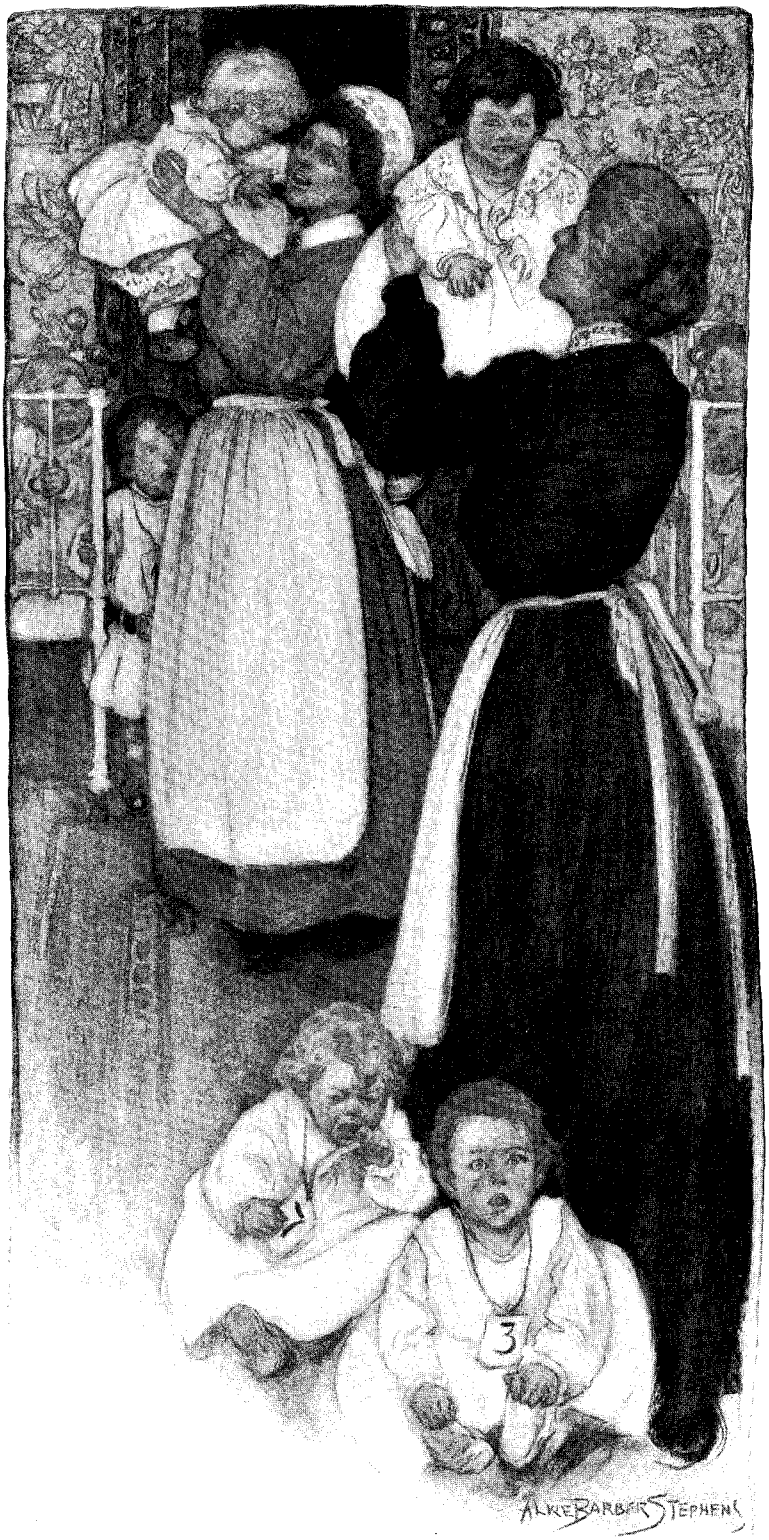

"It was the time to bounce"

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